



#	Requirement	Guidance on evaluation
6.4	When strategies are acted upon, there is a clear understanding of the risks and opportunities involved and associated actions.	It is particularly important that where the business is 'taking on risk' the persons concerned should be aware of the risk, its magnitude and potential consequences. Normally there would be explicit limits or tolerances within a set risk appetite.
6.5	WSC strategies are set with due reference to its level of risk appetite. (Risk appetite is the amount and type of risk that an organisation will pursue or retain.)	This implies that WSC has a clear understanding of its risk appetite – in keeping with its business model, vision and stakeholder expectations. Risk is treated as providing an opportunity for advantage and enterprise, not just as a source of loss. WSC should be able to engage in appropriate risk-taking activity knowing the risks involved, the potential consequences and associated likelihoods and the controls required to be in place to manage the risk.
6.6	Management make decisions for the long term, sometimes sacrificing short term gain	Decisions should reflect a more strategic approach rather than a focus on short term performance.

#### 7. Management of Risk and Control Management Performance

*Continuous improvement in risk management is achieved through the setting of WSC risk management performance goals, measurement, review and the subsequent modification of processes, systems, resources and capability/skills.*

7.1	There is an documented and up to date Risk Management plan for WSC	This should have been reviewed and revised in the last 6 months. The risk management plan should deal with improving the maturity of risk management in WSC. It should cover embedding risk management processes in key business processes, the improvement of risk and control management performance, the take up and improvement of control checking and assurance. It may also include training in risk management processes and any actions that are required to satisfy the requirements within this evaluation protocol. It should cover both the positive and negative aspects of risk management.
7.2	There is a documented Risk Management Framework for WSC which reflects good risk management practice	This should outline the key approaches and processes around risk management across the organisation and include the risk management policy and the key principles and processes of risk management. The framework should be supported by detailed guidelines in key areas such as risk assessment, appetite setting and risk culture.
7.3	A risk management maturity evaluation designed to identify improvement opportunities is undertaken at appropriate intervals	Normally as part of reporting to senior management and annually to the Governance Committee. It provides a benchmark for measurement of the maturity of risk management across the organisation.
7.4	There are appropriate risk management KPIs for Senior Executives and Service Unit Managers.	These should be explicit and recorded as part of personal performance goals. The KPIs should be measured against 'lead indicators' and should drive good risk and control management practice. They should not just be related to losses and accidents or other lag measures.
7.5	There are role models and leaders for risk management within WSC.	WSC should have in place a range of staff with risk and personal capabilities able to meet the evolving business needs of the organisation and effectively communicate the cultural change that is required to have enterprise risk management effectively in place across the organisation.



#	Requirement	Guidance on evaluation
7.6	Requisite knowledge, expertise and experience in risk management are in place across the organisation.	Risk management knowledge needs to extend beyond management to all levels of the organisation. While staff do not have to be risk management experts, they do need to ensure that they are familiar with key risk management processes and are able to apply risk and innovative thinking in every day decision making.
7.7	Executive and Service Unit Managers undertake regular risk-related professional development.	While managers do not have to be risk management experts, they do need to ensure that they are fully familiar with current risk management knowledge. This must extend beyond traditional risk knowledge such as financial and safety related risks or knowledge of risks in their own area of specific accountability. It needs to extend into innovative thinking around helping achieve strategic and operational objectives within their area and across WSC.
7.8	Risk management performance is measured and reported within Units and Departments.	This should be part of normal business reporting within the WSC. Quarterly reporting to a Committee is not enough. The performance has to be communicated to all relevant stakeholders in WSC in a timely and informative manner.
7.9	Councillors apply risk management principles and processes to decision making.	While councillors do not have to be risk management experts, they do need to ensure that they are familiar with current risk management standards and processes generally. They need to know how to bring risk thinking into the decision making process especially around strategic planning, policy setting, meeting their statutory obligations and understanding the organisation's capacity to deliver outcomes.

### 8. Contingency Management

*If an event occurs that threatens WSC, employees, assets and/or services we have a viable and effective plan as to how we will act to minimise negative consequences.*

8.1	There is a crisis/emergency plan or plans.	These must be written plans – not just based on thoughts or conversations.
8.2	The plans deal with types of events that can significantly affect the continuity of the WSC's operations and revenue stream.	All types of events must be covered, both internal and external to WSC. This includes transport/logistics failures, weather events, bushfire, industrial disputes, failure of critical equipment and systems, loss of access to premises, failure of contracting and partner companies etc.
8.3	The plans are tested in accordance with the planned testing program	At least by table top exercises that were rigorously conducted and necessary improvements made to the plan.
8.4	The plans are up to date.	If it were initiated now, all the information is current and reliable. This implies that there is specific activity to keep the plan up to date. All named individuals and roles are current.
8.5	All persons that have a specific role in the plans have a copy of the plan and have been trained in their roles within the last 2 years.	At this moment, they could all access a copy of the plan – even if they were away from the premises. They must be fully aware of their roles and be capable of fulfilling them.



WORKING DRAFT #3

6.7 WSC's STRATEGIC RISK PROFILE

WYONG SHIRE COUNCIL

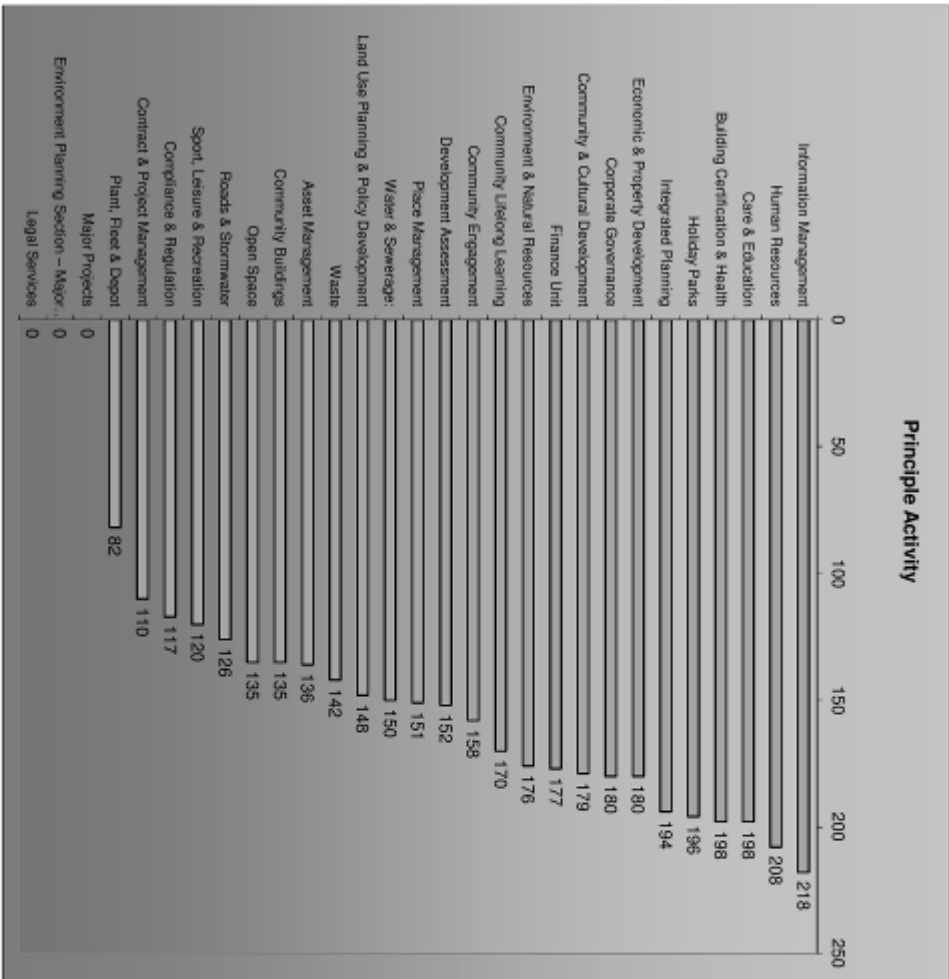
Council Functions

26	Information Management	218
23	Human Resources	208
10	Care & Education	198
12	Building Certification & Health	198
11	Wastley Parks	196
27	Integrated Planning	194
9	Economic & Property Development	180
23	Corporate Governance	180
1	Community & Cultural Development	179
24	Finance Unit	177
13	Environment & Natural Resources	176
4	Community Lifelong Learning	170
3	Community Engagement	158
14	Development Assessment	152
7	Pace Management	151
20	Water & Sewerage	150
16	Land Use Planning & Policy Development	148
18	Water	142
21	Asset Management	136
2	Community Buildings	135
5	Open Space	135
19	Roads & Stormwater	126
6	Sport, Leisure & Recreation	120
13	Compliance & Regulatory	117
22	Contract & Project Management	110
20	Plant, Fleet & Depot	82
8	Major Projects	0
17	Environment Planning Section – Major Projects	0
28	Legal Services	0

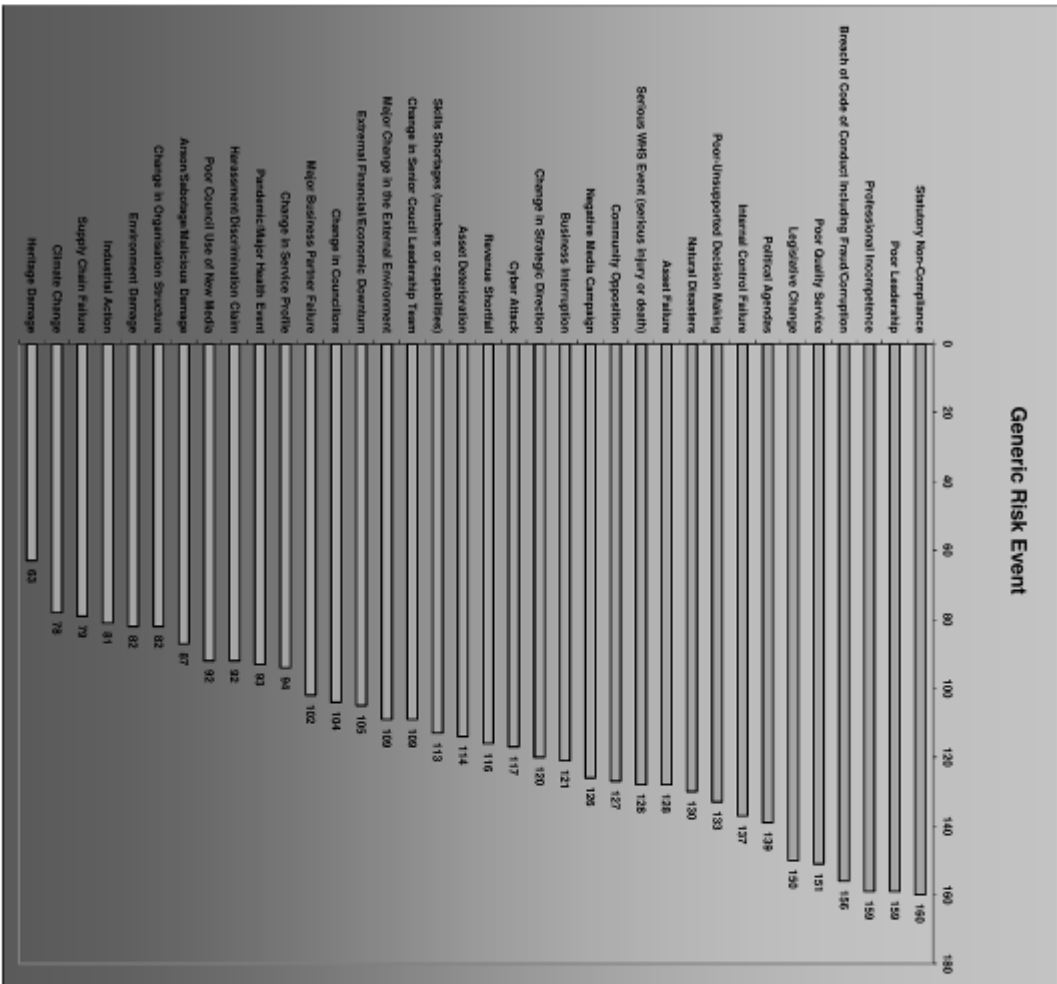
WYONG SHIRE COUNCIL

Corporate Risk Management

DRAFT STRATEGIC RISK PROFILE



Generic Risk Event		
8	Statutory Non-Compliance	160
16	Poor Leadership	159
18	Professional Incompetence	159
10	Breach of Code of Conduct Including Fraud/	156
17	Poor Quality Service	151
8	Legislative Changes	150
14	Political Agendas	139
30	Internal Control Failure	137
31	Poor-Unsupported Decision Making	133
1	Natural Disasters	130
26	Asset Failure	128
2	Serious WHS Event (serious injury or death)	128
11	Community Opposition	127
13	Negative Media Campaign	126
33	Business Interruption	121
27	Change in Strategic Direction	120
35	Cyber Attack	117
32	Revenue Shortfall	116
25	Asset Deterioration	114
22	Skills Shortages (numbers or capabilities)	113
19	Change in Senior Council Leadership Team	109
30	Major Change in the External Environment	109
20	External Financial/Economic Downturn	105
20	Change in Councils	104
29	Major Business Partner Failure	102
5	Change in Service Profile	94
6	Pandemic/Major Health Event	93
12	Harassment/Discrimination Claim	92
13	Poor Council Use of New Media	92
24	Arson/Sabotage/Malicious Damage	87
9	Change in Organisation Structure	82
4	Environment Damage	82
21	Industrial Action	81
23	Supply Chain Failure	79
3	Climate Change	78
7	Heritage Damage	63



Strategic Risk Profile - Aggregated v3 10 Jul12

















WORKING DRAFT #3

6.8 RISK APPETITE AND TOLERANCE

**WYONG SHIRE COUNCIL**  
Enterprise Risk Management Strategy

**RISK APPETITE**

**RISK APPETITE** – the amount and type of risk that WSC is prepared to pursue, retain or take in order to achieve its objectives

Statement	Metric
<b>Compliance / Reputation</b>	
WSC has an appetite for maintaining levels of satisfaction in the community	75% customer satisfaction with the service provided by Customer Contact
WSC will develop and maintain a reputation for providing value for money services, and friendly customer service	Reducing year-on-year number of upheld complaints
WSC has an appetite for doing the right thing and being seen to do the right thing	75% customer satisfaction with the service provided by Customer Contact
WSC has an appetite for acting and responding consistently and appropriately in all its dealings with stakeholders and constituents	Number of annual positive citations (local or state level)
WSC will comply with its legal, professional and regulatory compliance obligations – avoiding litigation, fines, or the imposition of restrictions that affect its ability to operate	Zero upheld complaints of bias or partiality
	Reducing year-on-year number and severity of breaches
<b>Financial Management</b>	
WSC will meet agreed financial targets to support our long term financial sustainability	Achievement of financial sustainability targets as defined in the Long Term Financial Strategy.
WSC has an appetite for maximising revenue to fund existing services, including opportunities for: <ul style="list-style-type: none"> <li>• full cost recovery</li> <li>• user pays</li> <li>• new revenue streams</li> </ul>	Achieve 100% of target revenue budget
WSC will maximise opportunities for successfully obtaining grant applications and special rate increases to help redress recurrent funding shortfalls	
WSC has an appetite for pursuing operational efficiencies by increasing shared service activities and working relationships with other councils or partners	Achieve program targets for CCWC and Joint Services

<b>RISK APPETITE – the amount and type of risk that WSC is prepared to pursue, retain or take in order to achieve its objectives</b>	<b>Metric</b>
<b>Asset Management</b>	
WSC will provide and maintain "fit for purpose" assets in a timely manner to meet community expectations WSC will manage its infrastructure and assets in a systematic and sustainable manner, ensuring that life cycle costs are optimised (for both existing and new assets) Asset renewals will be prioritised to align with priority objectives of the WSC Strategic Plan	Achievement of objectives and targets defined in the WSC Asset Management Policy
WSC will prioritise capital expenditure to optimise alignment with strategic objectives and produce optimal outcomes for the investments made	
<b>Development and Environment</b>	
WSC has an appetite for pursuing opportunities to utilise and capitalise on cultural and environmental heritage	
WSC has an appetite for encouraging cooperative approaches to feasible and realistic development proposals	
WSC has an appetite for pursuing initiatives that result in net gains in Wyong's environmental heritage	
WSC has an appetite for improving the existing natural environment including wetlands, bushland, beaches, dunes, stream banks, and foreshores	Year-on-year improvements using a standardised measure
<b>Service Performance / Community Outcomes</b>	
WSC will fulfil priority objectives as defined in the Community Strategic Plan in a manner that reflects the priorities and expectations of the community	
WSC will seek to avoid commitments that cannot be fulfilled	< 5% variance from expected operations, performance or outcomes
WSC has an appetite for substantially delivering upon its commitments	> 90% KPI achievement
WSC has an appetite for achieving best value outcomes for the Wyong community	
WSC has an appetite for consistently delivering its services to the Wyong community	
WSC has an appetite for developing and applying controls that contribute to a liveable and amenable community	
WSC will prioritise projects based on Project Assessment Criteria	All major projects (designated in the Annual Plan) are delivered in accordance with their approved work program.
WSC has an appetite for managing projects within budget (including contingency provisions) and on time	At least 80% of all projects are completed on time and on budget
WSC will engage the community in all key projects	

<b>RISK APPETITE – the amount and type of risk that WSC is prepared to pursue, retain or take in order to achieve its objectives</b>	
<b>Statement</b>	<b>Metric</b>
<b>Workforce Management</b>	
WSC is committed to implementing policy and systems, leadership, accountability, and consultation in order to maintain a safe and healthy work environment	Lost Time Injury Frequency < 28
The safety of our Workers will take priority over competing interests	
WSC will pursue opportunities to minimise WHS risks to our Workers, and to achieve WHS performance objectives	
WCS will implement systems and maintain records to demonstrate WHS due diligence	
WSC has an appetite for maintaining its self-insured status	Ongoing unqualified 3-year licence renewals
WSC will seek to optimise resources, to have the right people in the right job at the right time within budget	
WSC will develop and sustain a skilled and knowledgeable workforce to support its ability to deliver future programs and services	Achieve 100% of HR targets as defined in the WSC Workforce Management Strategy
WSC has an appetite for supporting and retaining committed, experienced and talented staff	Permanent staff turnover <10%



WORKING DRAFT #3

6.9 WSC RISK TABLES



# Wyong Council Risk Tables

Revision 4: September 2012

Consequence Table								
	Work, Health & Safety	Environment	Socio-economic	Cultural-Heritage	Regulatory Compliance	Reputation	Financial (at the enterprise level)	
A	<b>Catastrophic</b>	1 or more deaths, serious disability	Severe breach of legislation prosecution & fine. Irreparable environmental damage.	Permanent and irreversible adverse impact on the general community.	Severe breach of legislation prosecution & fine. Irreparable damage to significant site.	Significant breach of legal, regulatory requirement or duty; prosecution; custodial sentence; Council dismissed.	Severe loss of confidence, long term reputational damage.	More than 10% of project value or annual Service Unit budget OR greater than \$500,000
B	<b>Major</b>	Serious injury (Major surgery > 2 months admission)	Major breach of regulation prosecution & fine. Long term environmental damage.	Significant harm to the general community.	Major breach of regulation prosecution & fine. Significant repairs needed. Long term damage to significant site.	Substantial breach of legal, regulatory requirement or duty; likely fines, prosecution and/or litigation	Significant Community dissatisfaction. State coverage. Reputation recoverable in the long term.	5 to 10% of project value or annual Service Unit budget OR between \$200,000 and \$500,000
C	<b>Moderate</b>	Significant injury 1 – 2 months absence	Breach of legislation, possible fines, clean up and/or remediation. Short term environmental damage.	Moderate adverse impact on community specifically affected by the activity.	Breach of legislation, possible fines. Repairs needed. Short term damage to site.	Breach of legal, regulatory requirement or duty; enforcement action or prohibition notices imposed	Expressed community dissatisfaction local coverage. Reputation recoverable in the medium term.	2.5 to 5% of project value or annual Service Unit budget OR between \$50,000 and \$200,000
D	<b>Minor</b>	First aid or medical attention required no long lasting effects	Possible breach of legislation, warning notice. Clean up and/or remediation. Minor, short term environmental damage.	Minor adverse impact on community specifically affected by the activity.	Possible breach of legislation, warning notice. Repairs needed. Minor damage to significant site.	Non-compliance of legal, regulatory requirement or duty; monitoring by external regulator	May cause minor public concern	1 to 2.5% of project value or annual Service Unit budget OR between \$10,000 and \$50,000
E	<b>Insignificant</b>	No absence	Not reportable. No environmental damage.	Little adverse impact on community specifically affected by the activity.	Not reportable. Minor repairs needed. Insignificant damage.	Minor non-compliance of legal, regulatory requirement or duty; investigation not reportable.	Insignificant publicity & public concern. No real reputation damage.	Less than 1% of project value or annual Service Unit budget OR up to \$10,000

Likelihood Table			
	Descriptor (Project)	Indicative frequency (Whole of Life)	Probability
<b>Almost certain</b>	Almost certain to occur	Once a year or more frequently	> 85%
<b>Likely</b>	More than an even chance of occurring	Once every 2 years	50 - 85%
<b>Possible</b>	Could occur quite often	Once every 5 years	21 - 49%



WORKING DRAFT #3

6.10 RISK RESPONSE BUSINESS RULES

General Characteristics	Business Rules for Various Risk Ratings			
	Low	Medium	High	Extreme
<b>Risk Treatment</b> This identifies Council expectations for identification of risk treatments.	This risk lies within the bounds of Council's current risk appetite. Council will accept this risk and manage the risk using existing processes and controls.	This risk lies within the bounds of Council's current risk appetite. Council will tolerate this risk, however cost effective risk treatments for reducing threats or optimising benefits should be identified.	This risk lies beyond the bounds of Council's current risk appetite. Council will only accept this risk if it is not cost-effective to implement controls to reduce the level of risk exposure. Action is required to reduce this risk to Tolerable or better. Proactive management by Service Unit Managers is required to ensure that this risk does not escalate to Intolerable.	This risk lies beyond the bounds of Council's current risk tolerance and Council will not tolerate this risk. Action is required to reduce the risk to Unacceptable or better. If the risk cannot be reduced, then continuation of the activities leading to the risk exposure must be subject to the highest level of review, considering potential benefits to Council. There must be explicit acceptance of the risk and implementation of effective risk treatments.
<b>Residual Risk</b> This identifies Council expectations for estimating post-treatment residual risk.	Proposed risk treatments <b>may</b> be identified to reduce the risk consequence, likelihood or both.  Residual risk need not be estimated	Cost effective risk treatments for reducing threats or optimising benefits <b>should</b> be identified.  Residual risk need not be estimated	Proposed risk treatments <b>must</b> be identified to reduce the risk consequence, likelihood or both.  Anticipated post-treatment residual risk <b>must</b> be estimated.	Proposed risk treatments <b>must</b> be identified to reduce the risk consequence, likelihood or both.  Anticipated post-treatment residual risk <b>must</b> be estimated.
<b>Decision Making</b> This characteristic identifies Council expectations for decision-making including whether to proceed with the proposed action or strategy given Council's risk exposure, and whether the proposed risk treatments are considered adequate.	Decisions to be made within existing delegated authorities and processes.	Risk assessment and proposed risk treatments to be reviewed by the Service Unit Manager or higher.	Risk assessment and proposed risk treatments to be reviewed by the ELT. Decision to proceed subject to endorsement by the ELT.	Risk assessment and proposed risk treatments to be reviewed by the ELT or higher. Decision to proceed subject to endorsement by the ELT and elected Council
<b>Risk Ownership</b> A Risk Owner is the person (or position) with accountability and authority to manage a risk.	No requirement to identify Risk Owners	No requirement to identify Risk Owners	Risk Owner must be nominated (Service Unit Manager or above)	Risk Owner must be nominated (Director or above)



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## 6.11 REFERENCES

Title and Publisher	Description
AS/NZS ISO 31000:2009 Risk management – principles and guidelines, Standards Australia	This International Standard provides principles and generic guidelines on risk management. It can be applied to any type of risk, whatever its nature, whether having positive or negative consequences. It can also be applied throughout an organisation, and to a wide range of activities, including strategies and decisions, operations, processes, functions, projects, products, services and assets.
HB 158:2010 Delivering assurance based on ISO 31000:2009 Risk management—Principles and guidelines	HB 158:2010 draws on the Institute of Internal Auditors' <i>International Professional Practices Framework</i> with respect to using and assuring the ISO 31000:2009 risk management process. In particular, it describes how to use the risk management process to: (i) develop a risk-based assurance strategy and program (ii) plan an assurance engagement (iii) report the assurance program (iv) design controls. The Handbook also provides a guide to assessing the adequacy of risk management framework and process.
HB 203:2012 Managing environment-related risk	Handbook HB 203:2012 discusses how AS/NZS ISO 31000:2009 can be used to help an organisation manage environment-related risks, including risks to the environment and from the environment.
Internal Audit Guidelines (2010), Division of Local Government, NSW Department of Premier and Cabinet	These Guidelines are Director General's Guidelines for the purposes of section 23A of the Local Government Act 1993, issued by the Chief Executive, Local Government under delegated authority. The Guidelines are designed to provide councils with assistance to implement internal audit and risk management. The Guidelines also include appropriate structures, functions, charter, and membership of audit and risk management committees.
ISO Guide 73:2009 Risk management - Vocabulary	The Guide provides the definitions of generic terms related to risk management. It aims to encourage a mutual and consistent understanding of, and a coherent approach to, the description of activities relating to the management of risk, and the use of uniform risk management terminology in processes and frameworks dealing with the management of risk.
ISO/IEC 31010:2009 Risk management - Risk assessment techniques	This International Standard is a supporting standard for AS/NZS ISO 31000:2009 and provides guidance on selection and application of systematic techniques for risk assessment. The application of a range of techniques is introduced, with specific references to other international standards where the concept and application of techniques are described in greater detail.
Project Risk Management Guideline (2011), NSW Department of Finance and Services	The objective of this guideline is to provide guidance to project teams and project stakeholders on the application of the standard risk management process to Information and Communications Technology Governance (ICT) projects and programs in the NSW Government. It is applicable to ICT projects and programs of all sizes and its principles and techniques are applicable to risk management for other programs, projects, plans and activities.
PMBok Practice Standard for Project Risk Management (2009), The Project Management Institute Inc.	The Practice Standard for Project Risk Management provides a standard for project management practitioners that aligns with the PMBoK Guide. The document also provides a source of tools, techniques and templates for project risk management.

**WORKING DRAFT #3**

Black swans – <https://www.thenbs.com/topics/practicemanagement/articles/riskAssessmentAndBlackSwans.asp> (access 16 Oct 12)

AS8000:2003 Corporate Governance

*Corporate Governance – Strategic Early Warning System* NSW Auditor-General's Report Volume Two (2011)

*Enterprise Risk Management Manual* (Coffs Harbour City Council, Nov 2011)

Risk culture – <http://www.insurancebusinessonline.com.au/cri/article/risk-culture-all-talk-and-no-action-126516.aspx>

Risk culture – <http://www.insurancebusinessonline.com.au/cri/article/5-essential-findings-for-risk-professionals-142846.aspx> (access 25 Aug 12)

Risk culture – [http://www.audit.nsw.gov.au/ArticleDocuments/234/01\\_Volume\\_One\\_2012\\_Full\\_Report\\_v3.pdf.aspx?Embed=Y](http://www.audit.nsw.gov.au/ArticleDocuments/234/01_Volume_One_2012_Full_Report_v3.pdf.aspx?Embed=Y) (access 13 Apr 12)

Bias and group-think – [http://www.iaa.org.au/Libraries/SOPAC\\_-\\_Previous\\_Confs/5F.sflb.ashx](http://www.iaa.org.au/Libraries/SOPAC_-_Previous_Confs/5F.sflb.ashx)

Commonwealth Guidelines for Managing Risk in the Australian Public Service (refer [www.apsc.gov.au/mac/index.htm](http://www.apsc.gov.au/mac/index.htm))

Public Sector Governance Volume 16 which describes the key components of effective risk management, as well as the importance of developing a risk management culture (see [www.anao.gov.au](http://www.anao.gov.au))

Public sector risk management (see [www.cpaaustralia.com.au/20\\_cpastore/](http://www.cpaaustralia.com.au/20_cpastore/)):

- Case Studies in Public Sector Risk Management: Better Practice Guide
- Enterprise-wide Risk Management: Better Practice Guide
- Public Sector Risk Management: A State of Play
- Research Report on Public Sector Risk Management.

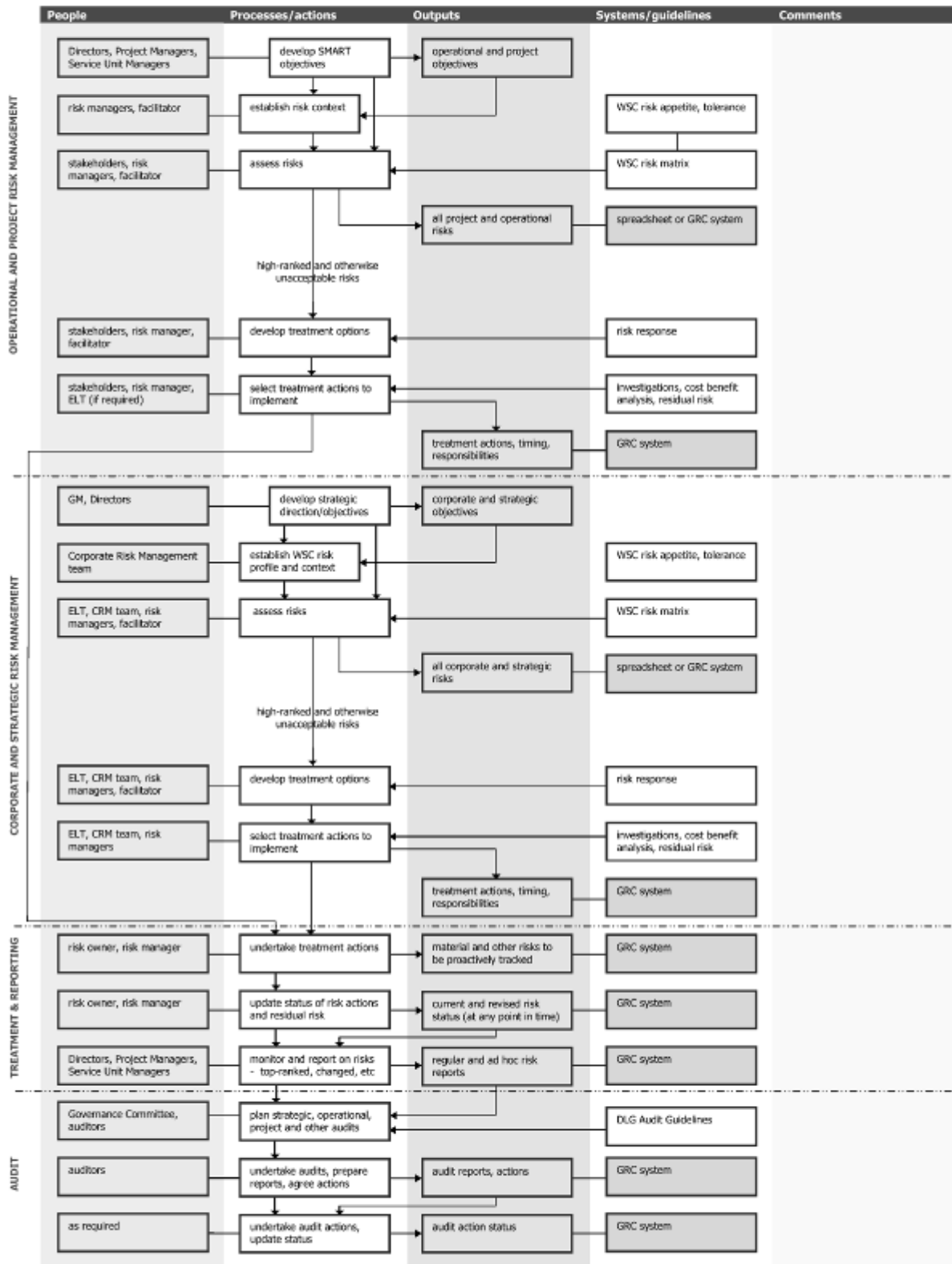


WORKING DRAFT #3

6.12 RISK MANAGEMENT PROCESS MAP

**WYONG SHIRE COUNCIL**  
**Enterprise Risk Management Strategy**

DRAFT ERM FRAMEWORK OPERATION



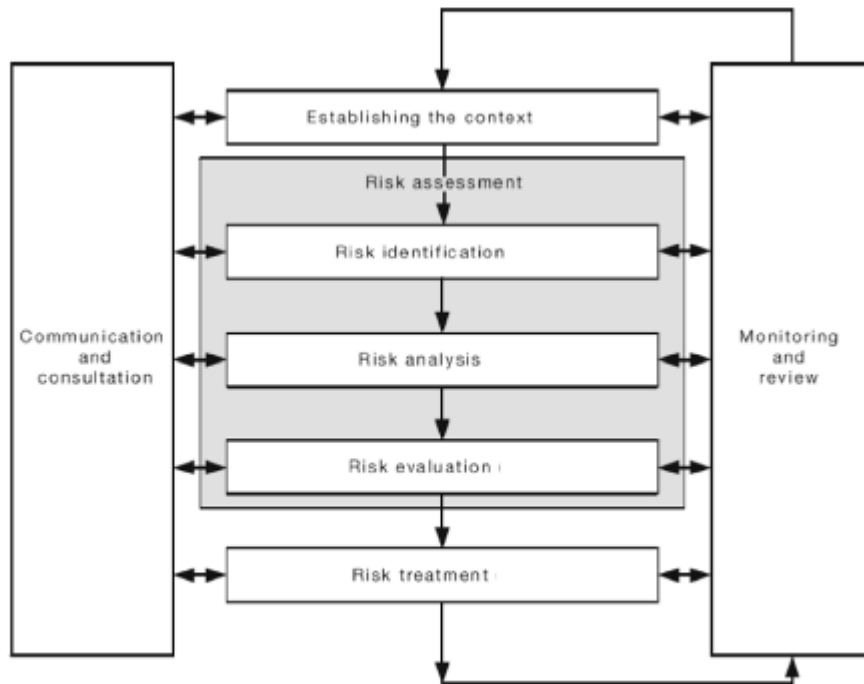
WSC ERM framework operation - v2 24Aug12



WORKING DRAFT #3

### 6.13 RISK ASSESSMENT

The risk management process defined in *AS/NZS ISO 31000:2009 Risk management – principles and guidelines* comprises seven elements, as represented in the diagram below.



The elements of the risk management process are:

- **Communication and consultation** – communication and consultation with external and internal stakeholders should occur during all stages of the risk management process. This ensures that stakeholders as well as those accountable for implementing the risk management process understand the basis on which decisions are made, and the reasons why particular actions are required.
- **Establishing the context** – establish the external, internal, and risk management context in which the risk management process will take place. In establishing context, WSC articulates its objectives, defines the external and internal parameters to be taken into account when managing risk, and sets the scope for the remaining processes.
- **Risk assessment** – risk assessment is the overall process of risk identification, risk analysis and risk evaluation.
  - **Risk identification** – the aim is to generate a comprehensive list of risks based on those events that might create, enhance,



**WORKING DRAFT #3**

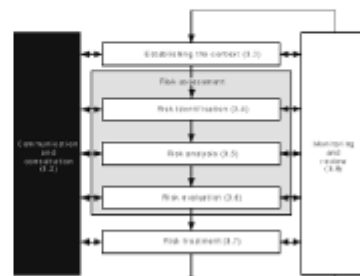
- prevent, degrade, accelerate, delay or otherwise impact on the achievement of objectives.
- **Risk analysis** – risk is analysed by determining the consequences of risk events, the likelihood of their occurrence, and other attributes of the risk. It informs risk evaluation and potential risk treatment.
- **Risk evaluation** – involves comparing the level of risk with pre-established risk criteria and making decisions about which risks need treatment and the priority for treatment implementation.
- **Risk treatment** – risk treatment involves selecting one or more options for modifying risks, and implementing those options.
- **Monitoring and review** – monitoring the implementation and effectiveness of risk treatments, and reviewing, updating and reporting on the entire risk environment to detect, assess and respond to changes.

The following sections provide guidance for implementing each element of the risk management process.

**6.13.1 Communication and consultation**

Communication and consultation are important considerations at each stage of the risk management process (and which itself does not have a finite timeframe).

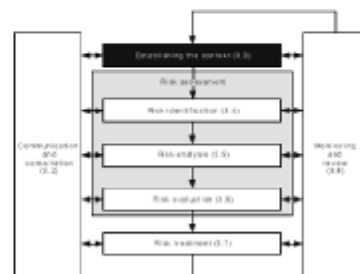
A consultative approach involving all relevant stakeholders must be utilised to define the context for and inputs into a risk assessment and provide confidence that all reasonably foreseeable risks are identified. This promotes ownership of the risk assessment outcomes, an appreciation of the benefits of the risk controls, and support for the risk assessment plan.



Effective risk communication ensures that those responsible for implementing risk management and those with an interest in the outcomes understand the basis on which risk management decisions are made and why particular actions are required.

**6.13.2 Establish the context**

Establishing the context articulates the relevant strategic, operational or project objectives, defines the parameters within which risks must be considered and managed, and sets the scope for the remainder of the risk management process.







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Questions to inform the risk management context include:

- have objectives been defined and agreed/approved?
- are the objectives well defined (are they SMART objectives – specific, measurable, achievable, relevant and timely)?
- what is to be achieved from the risk management process?
- what outcomes are being sought?
- what opportunities or benefits might be achieved?
- what decisions will need to be made?
- who will be involved in or affected by the activities and objectives under consideration?
- who are the significant stakeholders (both internal and external)?
- should they be involved in the risk assessment?
- what is the internal context – including strategic direction, recent or proposed organisational change, budget constraints, resource capacity and capability, performance expectations, governance arrangements, information availability, target timeframes, policies and procedures?
- what is the external context – including the social and cultural, political, legal, regulatory, financial, technological, economic, natural and competitive environment?
- are there benefits to be gained by involving subject matter experts in the risk assessment, or independent personnel who can provide a "fresh set of eyes"?
- are there lessons from previous risk assessments and comparable projects that might assist the risk assessment?
- what background information and data is needed to inform the risk assessment e.g. information regarding current and projected resourcing levels, budget, cashflow, program, assumptions, current budget and program contingencies, performance data, regulatory or contractual obligations?

#### **6.13.2.1 Strategic risk context**

Context for assessment of WSC's strategic risks should be informed by:

- WSC strategies prepared in response to the NSW Division of Local Government Integrated Planning and Reporting framework (including the Community Strategic Plan, Delivery Program, Operational Plan, and Strategic Plan)
- other WSC strategic planning documents
- WSC's strategic risk profile
- WSC's defined risk appetite.

#### **6.13.2.2 Operational risk context**

Context for assessment of WSC's operational risks should be informed by:

- operational objectives, key performance indicators, and performance targets as defined in WSC strategies and Service Unit Business Plans
- requirements defined in WSC's operating policies and procedures
- WSC's strategic risk profile
- WSC's defined risk appetite.



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**6.13.2.3 Project risk context**

Context for assessment of project risks should include reference to the business case and project plan, and be informed by:

- the purpose and objectives of the project
- the outcomes and benefits to be derived from the project
- operational and strategic risks impacting on the project
- WSC's defined risk appetite.

**6.13.2.4 Determine potential exposure**

In establishing context, consideration should be given to whether WSC's potential exposure needs to be determined. Potential exposure (also known as inherent risk) deliberately assumes the absence of any existing risk controls.

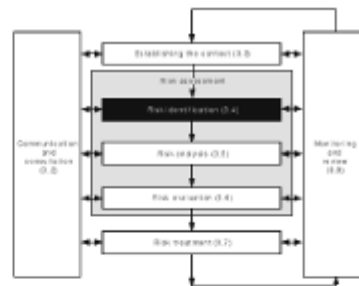
It introduces a different context for risk assessment that should be applied:

- when determining maximum potential exposures as a basis for prioritising further risk assessment (for example, when developing WSC's high-level strategic risk profile)
- when determining maximum potential exposures as a basis for assessing the adequacy of WSC's insurance coverage
- to identify maximum potential exposure in the event of critical control failure (for example, non-availability of key staff, business disruption, fraud and corruption, or IT system control failure)
- for new services or projects where there is an absence of established risk controls
- where there is a lack of confidence in the reliability or effectiveness of existing risk controls.

**6.13.3 Identify the risks**

Risk identification is the process of identifying risks having an effect on the achievement of objectives. It involves the identification of risk sources, risk events, their causes and potential consequences.

Risk identification involves thinking about what, when, where, why and how events can occur that may prevent WSC from achieving its strategic, operational or project objectives.





## WORKING DRAFT #3

**6.13.3.1 Apply a structured approach**

Identifying the effect of risk events on the achievement of objectives is fundamental to effective risk management. Risk assessment should work through the list of relevant objectives one by one, identifying the full range of risk events across all risk categories<sup>1</sup> that potentially impact each objective.

Risk events include threats that objectives will not be achieved, as well as opportunities that exceed current objectives.

Risk identification should include risks whether or not they are under the control or influence of WSC.

Should an identical risk event be identified for more than one objective, rationalise identified risk events to remove duplicates.

Risks that are not identified cannot be assessed, and remain a source of unknown, unquantified and unexpected exposure for the organisation.

**6.13.3.2 Risk event statements**

Document risk event descriptions in the risk register in sufficient detail so that they can be understood by a variety of stakeholders, particularly those who were not part of the risk assessment process.

For clarity and consistency, risk event descriptions should be expressed in the form "x leads to y", where x is a specific event and y is a specific description of the resulting consequences. For example:

- failure to secure grant funding leads to a significant reduction in the annual operating budget (> \$50,000)
- difficulty in recruiting experienced supervisory resources leads to poor quality frontline service delivery
- a significant increase in project scope leads to a major project cost increase (>10% of project budget).

**6.13.3.3 Risk identification methods**

There are a number of different methods to identify risk events, which can be applied individually or in combination:

- brainstorming sessions with stakeholders
- an examination of previous comparable events/projects/activities
- fault tree or event tree analysis
- checklists developed for similar events/projects/activities.

Note that risk management requires participants to **think**, and the use of past risk events and checklists should never be a substitute for detailed, structured analysis.

Questions to be asked when identifying risks include:

- what can happen?
- where can it happen?

<sup>1</sup> WSC's risk categories are defined in its Risk Tables and include financial, reputation, environmental, regulatory/compliance, business systems, WHS and socio-economic.



## WORKING DRAFT #3

- when can it happen?
- why would it happen?
- how can it happen?
- what would cause it to happen?
- what else happens?

The following may assist the identification of risks:

- Attachment 6.2 includes a sample of risks relevant to local government
- Attachment 6.3 includes a sample of project delivery risks.

Note that these resources should be used as prompts to assist risk identification brainstorming by individuals and stakeholder groups, and should never be adopted verbatim, or considered to be comprehensive.

#### 6.13.3.4 Select risk events

When identifying risk events there are typically a range of similar risk events along a spectrum that can be identified and used as a basis for risk assessment. The following table provides some examples of similar risk events at opposite extremes of the spectrum (representing worst case and most likely risk events).

Worst case risk event	Most likely risk event
<b>Fire or spill:</b> Major fire or chemical spill requiring emergency response that prevents access to WSC's administration building for an extended period, with major disruption to services	<b>Fire or spill:</b> Multiple minor fires or chemical spills occurring in the field throughout the year requiring local response and resulting in minor injuries and temporary, localised operational disruption
<b>ICT failure:</b> ICT system failure that results in loss of business-critical information for an extended period (>1 week)	<b>ICT failure:</b> Recurring, localised IT system failures that have negligible business impact and are rectified rapidly (<2 hours)
<b>Scope creep:</b> Major increase in project scope (with major consequences for the project budget) due to clarification of user needs for a critical high-cost project component	<b>Scope creep:</b> Recurring minor increases in project scope due to poor definition of user needs and/or poor ongoing scope control processes

Risk identification can be based on:

- *worst case:* risk event having the worst case consequence scenario that could reasonably occur, irrespective of likelihood
- *likely worst case:* risk event having a worst case consequence scenario that has at least a 50% chance (say) of occurring during the timeframe being considered
- *most likely:* risk event having the most likely consequence.

Different risk identification approaches will lead to very different risk assessment results, and require different risk treatments.

The most common technique used is *likely worst case*, and this will be the default technique used for WSC risk assessments.



### WORKING DRAFT #3

It is important for participants to be conscious of the technique applied for the risk identification and to apply the technique consistently throughout the risk identification process.

#### 6.13.3.5 Root cause analysis

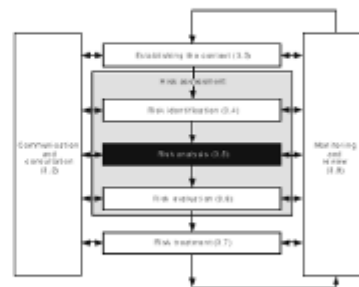
Root cause analysis is a structured approach to identifying the causes that can lead to the risk event. WSC's risk register template provides the opportunity to record three levels of causation – that is, to ask "why" up to three times.

Root cause analysis is valuable because it provides an opportunity to better understand and record the real causes of specific risk events, and increases the chance that:

- the likelihood of a risk event will be analysed accurately (reflecting the root cause)
- risk treatments will be identified that respond to the root cause.

#### 6.13.4 Analyse the risks

Once all risks have been identified, the next step in the risk management process is to analyse the risks. Risk analysis determines the level of risk as a basis for risk evaluation and decisions about risk treatment. WSC's preferred approach for risk analysis is a semi-quantitative approach using the WSC Risk Tables.



Should further analysis be required, a number of other quantitative and qualitative techniques are available depending upon the needs of the risk assessment and the available data.

Risks are analysed by determining their consequences and likelihoods. The effectiveness of existing controls should also be taken into account, where existing controls are in place, known and operating effectively.

WSC's risk register template will be used to record:

- all of the foregoing details e.g. project/strategy/service, risk event
- the risk consequence category selected as the primary consequence as the basis for risk analysis
- details of any existing controls that mitigate exposure and considered as part of the consequence and/or likelihood rating
- the consequence and likelihood ratings applicable to the risk event
- comments providing additional context for the risk analysis (including assumptions regarding the effectiveness of existing controls).



WORKING DRAFT #3

#### **6.13.4.1 Analyse consequence**

The Risk Tables identify a number of risk categories applicable for WSC, as follows:

- work health and safety – risk events affecting the safety and wellbeing of staff, volunteers, contractors, visitors and the public
- environment – risk events affecting environmental outcomes and the achievement of WSC's environmental objectives
- socio-economic – risk events affecting the social fabric of the Central Coast community and its economic performance and development
- cultural-heritage – risk events affecting people indicators and employee attraction and selection outcomes
- regulatory/compliance – risk events affecting legal, professional or regulatory compliance
- reputation – risk events affecting staff and community confidence in WSC operations
- financial (enterprise level) – risk events affecting WSC's financial objectives (including short term and long term financial objectives)
- business systems – risk events affecting the continuity and delivery of WSC's business activities
- fraud and corruption – risk events affecting the lawful and ethical discharge of WSC activities by WSC staff and those with which it interacts.

Assess the consequence using the Risk Tables to identify which consequence descriptions (A – catastrophic through E – insignificant) best align with the consequence for this risk event.

Where a risk event has multiple consequences, risk analysis should focus on the consequence having the greatest impact on WSC objectives.

#### **6.13.4.2 Analyse likelihood**

Use the likelihood ratings in the Risk Tables to identify the likelihood of the consequence occurring, ranging from almost certain to rare.

Assess likelihood based on records of past risk events, personal experience or a collective judgement, taking into account the appropriate planning horizon e.g.

- WSC's 4 and 10 year planning cycle
- Service Unit annual planning cycle
- project duration (for project risks).

#### **6.13.4.3 Existing controls**

The effect of existing controls must be considered when analysing consequence and likelihood. Existing controls may reduce the likelihood of an event occurring, or the consequences should the event occur, or both. Existing controls may include:

- training
- policies and procedures
- defined roles, responsibilities and authority
- checking and approvals processes



## WORKING DRAFT #3

- monitoring or supervision
- escalation and reporting processes
- physical and information controls.

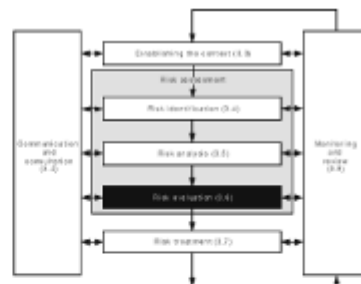
If controls are under development or being planned but are not yet in place, their mitigating effect should not be considered as part of the risk assessment process. Only controls that are in place and working should be included.

### 6.13.5 Evaluate the risks

Risk evaluation assists in deciding which risks require treatment and the priority for treatment implementation.

#### 6.13.5.1 Risk evaluation

WSC's risk evaluation is documented in its Risk Tables (Attachment 6.9) and Risk Responses (Attachment 6.10), both of which derive from WSC's risk appetite.



Use the consequence and likelihood ratings in the Corporate Risk Assessment Tables to identify a risk rating of:

- extreme (red)
- high (yellow)
- medium (light blue)
- low (white).

WSC's risk register template will automatically establish the overall risk rating based on consequence and likelihood ratings entered.

WSC's Risk Response table defines expectations for responding to risks under the above ratings including:

- the need to identify risk treatments
- the analysis of residual risk
- escalation of risks for decision making
- the nomination of risk owners.

#### 6.13.5.2 Prioritisation

A common challenge is that too many high ranked (unacceptable) risks are identified that require treatment, with insufficient time and resources available to address all of them in a timely manner.

Therefore, WSC accepts that (in addition to the evaluation process identified above) unacceptable risks can be subject to further informed prioritisation to ensure that practical and achievable risk treatment strategies are implemented to provide the greatest value to WSC. This approach is consistent with *AS/NZS ISO 31000:2009 Risk management – principles and guidelines*.



## WORKING DRAFT #3

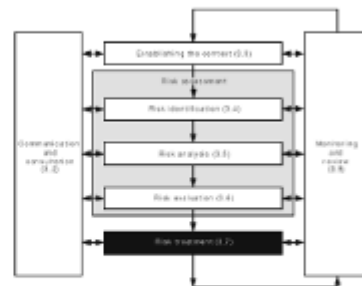
The basis for prioritisation must be recorded on the risk register and can include:

- the timeframe in which the consequences will occur, or the timeframe in which associated risk treatments would need to be completed (informing the relative urgency of risk treatment)
- the possibility of foreseeable changes in the internal or external environment which are likely to increase or reduce the risk rating in the near future (for example, changes to legislation, changes to resourcing, dependencies on progress with other WSC initiatives)
- uncertainty around the accuracy of the risk analysis, where further investigation and analysis may be required to better inform the risk analysis prior to agreeing the final priority for a particular risk.

### 6.13.6 Identify risk treatments

Risk treatment involves:

- identifying one or more options for modifying risks
- evaluating risk treatment options to identify the preferred option(s)
- implementing the preferred risk treatment options.



Risk treatment options are additional to existing controls and can include:

- avoiding the risk by deciding not to undertake the activity giving rise to the risk
- taking or increasing the risk in order to pursue an opportunity
- removing the risk source
- changing the likelihood
- changing the consequences
- sharing the risk with another party or parties e.g. contract conditions, insurance s, risk financing
- retaining the risk by informed decision and conscious acceptance.

Risk treatment is about managing risk not necessarily eliminating it.

#### 6.13.6.1 Business rules for risk response

WSC's Risk Response Business Rules (refer Attachment 6.10) identify what to do under various risk ratings, including the development of risk treatments for all risks rated as unacceptable and intolerable.

#### 6.13.6.2 Select preferred risk treatments

Risk treatment is about managing risk, but not necessarily eliminating it. The key is to strike the right balance to be in a position where WSC knowingly take on reasonable risk, rather than being unwittingly exposed to it.





### WORKING DRAFT #3

Selecting the most appropriate risk treatment option involves balancing the costs of implementing each option against the benefits to be derived from it. It is important to consider all direct and indirect costs and benefits, both tangible and intangible.

Monitoring and review activities are a particular type of risk treatment that may be appropriate where further information needs to be obtained to properly understand the risk.

Questions to confirm whether proposed risk treatments will be effective include:

- is there an understanding of how the risk treatments will modify the risk?
- does cost/benefit analysis favour the proposed risk treatment?
- is it likely that the risk treatment will be implemented in a timely and effective manner (if not, consider alternatives)?
- if the risk treatment is implemented effectively, is there confidence that the level of risk will be reduced to an acceptable level?
- how can the effects of the risk treatment be measured to confirm its effectiveness?
- will there be clear accountability for implementing the risk treatments?
- where applicable, what ongoing monitoring and review might be needed to confirm that the risk treatments remain effective?

#### **6.13.6.3 Record preferred risk treatments**

When defining existing controls and considering new ones, be specific about how the risk controls mitigate the risks. For example, in a purchasing process 'segregation' may be a control but a more specific and informative description would be 'introduce procurement processes that ensure separation between those responsible for raising a payment order and those authorising payment'.

WSC's risk register template should be used to record:

- the risk owner (the role having overall responsibility for management of the risk and implementation of risk treatments)
- a description of each agreed risk treatment
- the target timeframe for implementation of each risk treatment.

#### **6.13.6.4 Determine residual risk**

Residual risk is the risk remaining after risk treatment. The assessment of residual risk assists management to demonstrate due diligence by providing confidence that unacceptable and intolerable risks can be reduced to more acceptable levels, subject to the effective implementation of the proposed risk treatments.

The assessment of residual risk is not required for all risks. WSC's Risk Response table (see Attachment 6.10) identifies requirements for the assessment of residual risk which should be recorded in the risk register.

Residual risk are assessed assuming that the nominated risk treatments have been effectively implemented.

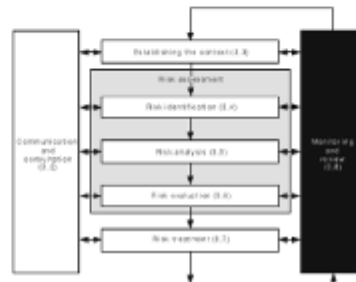


## WORKING DRAFT #3

**6.13.7 Monitor and review**

The risk management process is an ongoing one. It is essential to consider appropriate ongoing monitoring and review processes and timing so that all risks having nominated risk treatments are monitored on a regular basis for the purposes of:

- ensuring that controls are effective and efficient in both design and operation
- obtaining further information to improve risk assessment
- analysing and learning lessons from events (including near-misses), changes, trends, successes and failures
- detecting changes in the external and internal context, including changes to risk criteria and the risk itself which can require revision of risk assessments, treatments and priorities
- identifying emerging risks.



Agreed monitoring and review activities must be recorded using WSC's risk register.

Questions to consider when planning risk monitoring and review activities include:

- what are the benefits of monitoring and review (how will it help optimise outcomes)?
- what information should monitoring and review identify?
- how often should monitoring and review occur?
- what monitoring or review activities would be most effective (for example, audits, customer survey, media reports, etc.)?
- who should be responsible for monitoring and review activities?
- how should the results of monitoring and review be reported to facilitate timely and effective decision making?



WORKING DRAFT #3

6.14 RISK REGISTER TEMPLATE



## **7.9 Iconic Development Sites - Maximum Building Heights in Wyong Local Environmental Plan 2012**

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TRIM REFERENCE: F2010/02196 - D03198911

MANAGER: David Jack, Acting Director Land Management Department

AUTHOR: Paul Bowditch; Manager Place Management

### **SUMMARY**

Reporting on the recommended maximum building heights for the Iconic Development Sites to be included in Wyong Local Environmental Plan (WLEP) 2012.

### **RECOMMENDATION**

***That Council endorse the maximum building heights and floor space ratios as shown on Table 1 attached to this report for inclusion in draft Wyong Local Environmental Plan 2012.***

Council has previously endorsed a list of 28 sites located throughout the Shire. These sites were chosen for their ability to stimulate the economy and create employment opportunities. These sites are commonly known as Iconic Development Sites.

Under the adopted Iconic Development Site process these sites are able to utilise certain incentives (mainly in the form of additional building height) in return for developments that provide significant public benefit, demonstrate design excellence, provide a green building solution and provide significant job creation opportunities.

In the absence of appropriate planning controls within Council's existing LEP (WLEP 1991), some owners of these sites have prepared Planning Proposals to insert the appropriate controls to cover recent development proposals. It is proposed to formalise these controls through the creation of an appropriate clause and mapping in WLEP 2012.

Following extensive discussions with the Department of Planning and Infrastructure (the Department), a clause has been drafted for WLEP 2012 – known as the Key Site Clause. The Clause is supported by a Key Site map which identifies each of the Iconic Development Sites. A copy of the draft Key Site clause is attached.

Prior to placing the draft WLEP 2012 on public exhibition, the Department has requested that Council identify the maximum building height for each of the sites. This is a departure from the previous concept of providing no maximum heights but allowing for detailed design work to be undertaken to determine suitable building heights. Through a combination of discussions with property owners, interrogation of planning strategies and architectural modelling, Council staff have now recommended maximum building heights. It should be noted that these maximum heights cannot automatically be achieved – developments will need to meet the requirements of an Iconic Development by demonstrating design excellence, provide significant public domain benefit etc.

**7.9 Iconic Development Sites - Maximum Building Heights in Wyong Local Environmental Plan 2012 (contd)**

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A table containing these maximum building heights together with the baseline heights (which are applicable if applicants do not wish to pursue development under the Iconic Development Site process) and floor space ratios is attached – see Attachment 1. Following Council’s endorsement of these maximum building heights and floor space ratios, the changes will be incorporated into the mapping for WLEP 2012 prior to it being placed on public exhibition.

After the gazettal of WLEP 2012, any Iconic Development Site proposing a development that would exceed the maximum building height as shown on the Key Site Map would be required to submit a Planning Proposal for consideration.

**ATTACHMENTS**

- |   |   |           |
|---|---|-----------|
| 1 | Table 1 - Iconic Development Sites - Maximum Building Heights - 27-11-2012  | D03199435 |
| 2 | Draft Key Site Clause from Wyong Local Environmental Plan 2012 - Clause 7.8 | D03204526 |

TABLE 1 - MAXIMUM BUILDING HEIGHTS - ICONIC DEVELOPMENT SITES

Site No	Name	Baseline Height Clause 4.3(1)		Recommended Maximum Height for WLEP 2012		FSR (Prior to any applicable bonuses)
		Metres	Equivalent Storeys	Metres	Equivalent Storeys	
1	Dunleith Tourist Park Site	15	4	70	20	0.7:1
2	Vacant 'Key' Site	28	8	70	20	4:1
3	Ebbtide Mall Site	22	6	70	20	2.75:1
4	Denning/ Short Streets Carpark Site	28	8	50	14	3:1
5	Lakeside Plaza Site	22	6	110.5	36	3:1
6	The Greens, The Entrance Bowling Club	22	6	48	16	3:1
7	Residential Tourist Zone 'Klumper' Site	28	8	97	31	3:1
8	Diggers at The Entrance	15	4	25	7	1:1
9	Shelly Beach Golf Club Site	12	3	22	6	0.55:1
10	Long Jetty Town Centre Extension	15	4	25	7	1.5:1
11	Toukley Town Centre Development, Council Carpark & Toukley Senior Citizens Centre	21	5	30	8	2:1 & 2.5:1
12	Old Service Station Site & Adjoining Council Carpark	20	5	30	8	2:1
13	Toukley Caravan Park	12	3	25	7	0.9:1 & 1:1
14	Waterfront Tourist Park	16	4	23	6	1.25:1
15	Lakedge Caravan Park	16	4	23	6	1.25:1
16	Rustrum Site	16	4	25	7	1.5:1
17	Club Toukley (Toukley RSL)	17	4	23	6	1:1
18	Oasis Youth Facility Site	23	6	30	8	3:1
19	Aldi Site, Wyong	16	4	16	4	2:1
20	Gateway Site, Wyong	11	2	25	7	1.25:1
21	Chapman Building	16	4	25	7	2.5:1
22	Grand Hotel	16	4	25	7	2.1:1
23	The Active River Foreshore Precinct	17	4	40	12	1.75:1
24	Wyong Tennis Club & Wyong Swimming Pool Site	17	4	40	12	1.75:1
25	Wyong Racecourse	23	6	25	7	0.2:1
26	Lake Haven Bulky Goods Site	12	3	25	7	1.75:1
27	Wyong Leagues Club & Oasis Caravan Park	12	3	16	5	0.5:1
28	Warnervale Airport	12	3	20	6	0.5:1

## 7.8 Key Sites [local]

- (1) The objectives of this clause are:
  - (a) to deliver a high standard of design excellence for Key Sites within Wyong Shire.
  - (b) to encourage the amalgamation of Key Sites to provide opportunities for the expansion of, or improvements to, the public domain.
  - (c) to provide a catalyst for the social and economic development of centres within Wyong Shire.
  - (d) to deliver significant public benefit to the community.
- (2) This clause applies to land identified as a "Key Site" on the Key Sites Map.
- (3) Despite clause 4.3(2), development consent may be granted for development up to the maximum height shown for the land on the Key Sites Map provided the consent authority is satisfied that a site specific Development Control Plan has been prepared that ensures development will:
  - (a) achieve the principles of ecologically sustainable development,
  - (b) provide a green building solution,
  - (c) demonstrate design excellence,
  - (d) demonstrate a high standard of architectural design, materials and detailing appropriate to the development type and location,
  - (e) contain adequate levels of pedestrian, cycle and vehicular access as well as circulation and parking,
  - (f) improve the quality and amenity of the public domain,
  - (g) permit the development of adjoining sites,
  - (h) be suitable on the site in regards to issues associated with slope, hazard, groundwater, soil capability and mine subsidence,
  - (i) comply with all relevant normal planning merit provisions contained in this instrument, particularly those pertaining to overshadowing, privacy and visual impact.
- (4) This clause applies only to a development application made within 5 years after the commencement of this Plan.
- (5) A development application made, but not determined within 5 years after the commencement of this Plan, is to be determined as if this clause continued to apply to that application.
- (6) In this clause:

**design excellence** means development that demonstrates that it will benefit the broader community by using expertise in architecture, urban design, landscape design, interior design, art, engineering, historic preservation, construction, security and sustainability.

**Green building** means a building that incorporates design, construction and operational practices that significantly reduce or eliminate the negative impact of development on the environment, including strategies for addressing:

- (i) energy efficiency,
- (ii) greenhouse gas emission abatement,
- (iii) water conservation,
- (iv) waste avoidance, reuse and recycling,
- (v) pollution prevention,
- (vi) enhanced biodiversity,
- (vii) reduced natural resource consumption,
- (viii) productive and healthier environments,
- (ix) flexible and adaptable spaces.



## **7.10 Modification to The Art House Wyong Shire Performing Arts and Conference Centre Concept Design and Capital Cost**

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TRIM REFERENCE: CPA/159128 - D03204630

MANAGER: Julie Vaughan, Manager Community and Cultural Development

AUTHOR: Stuart Slough; Cultural Planner

### **SUMMARY**

This report recommends a modification to concept designs of The Art House, Wyong Shire Performing Arts and Conference Centre (The Art House) in order to reduce the capital cost of the facility from \$24M to maximum \$12M.

Based on preliminary cost estimates, it is proposed to revise The Art House concept design to create an option for a maximum \$12M capital cost facility that still achieves the goals of the original Business Plan. Such an option will incur the same estimated recurrent operational cost to Council of approximately \$1M per annum net (\$2M per annum gross) including depreciation. The \$12M option is proposed to be developed within the 2012/13 project budget allocation and in consultation with The Art House Working Party.

### **RECOMMENDATION**

***That Council authorise the General Manager to develop a design option and reviewed Business Plan of The Art House based on a maximum \$12M capital cost in consultation with The Art House Working Party and report back to Council.***

### **BACKGROUND**

A Councillor Business Update on 5 December 2012 has provided the background and previous Council resolutions regarding the development of the Business Plan and designs for an arts centre to be located on the current site of the Wyong Memorial Hall, Wyong with an expected capital cost of \$24M

The location and configuration of The Art House is supported by the Central Coast Regional Cultural Framework jointly developed by Wyong Shire Council and Gosford City Council community and cultural teams in consultation with Arts NSW and Regional Development Australia – Central Coast (RDACC).

The \$24M capital cost of the current concept design consists of \$15.5M for the base building plus \$8.5M for on-costs including fees, car parking and flood mitigation contributions, stakeholder relocation and a 20% contingency.

**CURRENT STATUS**

The Art House current \$24M proposal is at concept design stage which has DA approval from December 2010 as well as the support of the Working Party and inclusion in the Central Coast Regional Cultural Framework developed with Gosford City Council.

Council applications to funding rounds and briefings to Arts Ministers at State and Federal Government levels between 2010 and 2012 have not resulted in any funding towards the capital cost of the \$24M option.

Council is currently submitting an application through Round 4 of the Regional Development Australia Fund seeking \$8M towards The Art House \$24M option, with the balance to be funded by Council.

**THE PROPOSAL**

The proposal is for a modification of the current concept designs of The Art House to reduce the capital cost whilst still achieving the priorities of the Business Plan as identified through stakeholder consultation and research. The proposed design modifications will aim to create a maximum \$12M capital cost arts centre option expected to consist of approximately \$7M for the base building plus \$5M for on-costs.

The proposed development of a maximum \$12M capital cost option follows preliminary cost estimates undertaken by Council staff and consultants. These estimates indicate that a facility of the same square metres as the current option, with some significant design changes, may be able to be constructed for approximately \$7M base building plus \$5M on-costs.

Possible design considerations in achieving the \$12M option are likely to include:

- consolidation of café, sales, bar and information points into one shared space with greater flexibility and mobility in use of spaces and equipment;
- transformation of the 500 fixed seat theatre/auditorium to a 500 retractable seating box studio with movable stage and retrofitted acoustic controls;
- possible inclusion of dedicated gallery, orchestra pit and fly tower and some detailed fit-out in future stages; and
- retaining the square meterage of the current option within the site allowances.

The design modification will need to proceed through consultation with The Art House Working Party and comparison with similar arts centres to test viability and suitability of the changes.

Whilst The Art House is considered a local and regional priority which addresses factors identified since 2006 in a Performing Arts Centre Feasibility Study (TZG 2006) the current \$24M capital cost appears unlikely to be met through existing funding options. Therefore this proposal is made to provide Council with a more affordable means of delivering infrastructure that addresses the identified needs and supports opportunities for cultural, economic and social development.

The cost of the concept redesign is to be met by the endorsed 2012/13 project budget.

## OPTIONS

The revised maximum \$12M capital cost option is considered the best alternative to The Art House current design as it still meets the fundamental requirements of the necessary programming and operational model as detailed in the Business Plan with a reduced capital cost from the current option.

The proposed option will still replace the aging Wyong Memorial Hall with a contemporary, well equipped and accessible multi-arts centre suitable for use by, and growth of, existing and new user groups. The revised option retains the seat numbers required to serve the Shire and region's dance schools and performance academies – a key target sector for the new facility. It also retains the high degree of flexibility and multi-use which ensures a broad but complimentary program of education, entertainment, production development and diverse revenue streams to be viable.

The revised option will also retain the facility's role of creating a civic focal point as specified in the Wyong Civic and Cultural Masterplan and drive community, cultural and investment confidence for the area.

Alternative options lower than \$12M would not retain the larger seat numbers and diverse flexible spaces required to meet current, unmet needs and diverse revenue streams to be viable, resulting in a higher annual cost to Council.

Alternative options greater than \$12M would have less scope to be financed due to limitations on external funding and Wyong Shire Council's financial capacity to meet the capital cost.

## STRATEGIC LINKS

### Wyong Shire Council Strategic/ Annual Plan

<i>Principal Activity</i>	<i>Service</i>	<i>Key Action and Objectives</i>	<i>Funding Source and Description</i>	<i>Impact on Key Performance Indicators/ Service Performance Indicators</i>
Community and Education	Community and Cultural Planning	1 Year Action Continued development of The Art House including funding strategy, stakeholder engagement, marketing and business planning	S94	Continued development of major community facility projects – Warnervale Town Centre (WTC) Community Hub and The Art House

**CONTRIBUTION OF PROPOSAL TO THE PRINCIPAL ACTIVITY****Long term Financial Strategy**

The recommendation to modify The Art House concept designs whilst meeting the goals of the Business Plan (including projected recurrent cost to Council) is consistent with the following goals of the Long Term Financial Strategy:

D.8 Future life cycle costs will be reported and the ability to fund those costs will be considered in all decisions relating to new services and assets and upgrading of existing services and assets. Those lifecycle costs will include the eventual disposal/decommissioning costs.

D.12 Align its asset management plans with the Strategic Shire Vision.

**Asset Management Strategy**

Ensure prioritisation of capital expenditure aligned with strategic objectives and produce optimal outcomes for the investments made.

**Workforce Management Strategy**

Nil impact.

**Link to Community Strategic Plan (2030)**

The Art House Business Plan recommendation for redesign of The Art House aims to ensure that Council can deliver arts infrastructure suitable for community use that has a manageable capital cost. Therefore the recommendation is in accordance with the following Community Strategic Plan goals:

1. Communities will have access to a diverse range of affordable and coordinated facilities, programs and services.
  - a) Providing and maintaining local and regional community facilities for recreation, culture, health and education
  - b) Providing and maintaining a range of community programs focused on community development, recreation, culture, environment, education and other issues
  - c) Providing recurrent funding for community support and development services
  - d) Promoting community facilities to help maximise their benefits and use.

**Budget Impact**

The cost of The Art House concept redesign will be met by the existing allocated project budget for 2012/13.

**CONSULTATION**

The Business Plan and design of The Art House has been developed in close consultation with a project Working Party chaired by The Mayor of Wyong Shire and consisting of arts, business, community, education and government representatives including interested Wyong Shire Councillors and Gosford City Council officers.

The Working Party provided advice and comment to the architects at development stages of the concept plan to ensure the building design meets user group requirements and has the required flexibility and accessibility to achieve the community cultural programming it is designed for.

The Working Party will be consulted at all stages of any concept redesign process.

#### **GOVERNANCE AND POLICY IMPLICATIONS**

Nil impact

#### **MATERIAL RISKS AND ISSUES**

Nil impact

#### **CONCLUSION**

The Art House Business Plan and concept design have been developed in close consultation with arts, business, community, education and government representatives to provide a facility that will most effectively fill an identified gap in cultural and civic infrastructure in Wyong Shire.

Following several years of lobbying and funding submissions, there appears limited likelihood of Council receiving the required level of State and Federal funding to match Council's contribution to The Art House \$24M capital cost.

The recommendation for Council to authorise the General Manager to modify The Art House concept design, with the Working Party, in order to reduce the capital cost aims to ensure that all avenues to provide required cultural and civic infrastructure for Wyong Shire are investigated and acted upon.

#### **ATTACHMENTS**

*Nil.*

## **7.11 Central Coast Regional Cultural Framework**

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TRIM REFERENCE: F2011/01773 - D03204975

MANAGER: Julie Vaughan, Manager Community and Cultural Development

AUTHOR: Stuart Slough; Cultural Planner

### **SUMMARY**

The Central Coast Regional Cultural Framework is a document jointly developed by Gosford City Council and Wyong Shire Council. The Framework provides agreed areas of regional cultural programming and facility development priorities and proposes areas of alignment and collaboration between both councils.

The Framework responds to identified needs and opportunities and aims to better position the Central Coast as an arts destination with clear economic, social and cultural benefits for the whole region. The Framework aims to provide clear local government commitment for arts and the creative industry and a foundation for additional arts funding and investment in the region from State and Federal Governments and business.

### **RECOMMENDATION**

***That Council endorse the Central Coast Regional Cultural Framework***

### **BACKGROUND**

#### **Wyong Shire Arts Development Background**

Council's key community and cultural strategic documents since 2005 have identified that there is a high level of creative community activity and aspiration within Wyong Shire.

Artists and non-artists have expressed a strong desire for the arts sector to develop in its capacity to contribute positively to the region's economic, community and environmental growth and change. Amateur and professional arts are considered to be a positive aspect of local life. Already locally there exists several creative industry practitioners and small to medium enterprises.

Since 2007 Wyong Shire Council and Gosford City Council cultural staff have worked with the arts sector to identify regional cultural priorities and have completed a number of collaborative regional arts projects including "Short and Sweet 2010" and "Dance Moves the Central Coast 2011" presented in over 22 venues across both Wyong and Gosford Local Government Areas (LGAs). This followed advice from Arts NSW in 2007 that local arts development would receive greater recognition and support if included in a jointly developed Regional Cultural Strategy.

The community and cultural development units of both Central Coast councils agreed that a regional strategic approach to cultural development would benefit plans for new arts centres in the region as well as support region wide audience development, investment and funding for the arts. This was supported by Wyong Shire Council at the Ordinary Meeting of 27 May 2009.

Gosford City Council and Wyong Shire Council undertook formal joint planning of a Regional Cultural Strategy in early 2010.

### **Independent Study**

The most recent independent study of the Central Coast arts sector, "Central Coast Art and Community Report 2010" (Randall Consulting 2010) was commissioned by Arts NSW following the combined presentation of a draft Regional Cultural Framework by both Central Coast Councils in mid 2010.

The "Central Coast Art and Community Report 2010" consulted with a broad range of Central Coast arts stakeholders and both councils. The study drew updated conclusions that are consistent with the findings of both council's existing strategies and draft regional framework.

The report also undertook a comparative study between 2002 and 2010 that demonstrates that the Central Coast has secured significantly less government competitive arts funding than other NSW LGA areas of a similar population size. From this information the report concludes that:

- Gosford LGA has succeeded in securing over 80% more arts funding than Wyong LGA over the same period;
- the funding applications received from the region "reflect a lack of partnerships and collaboration, and indicate the fragmented nature of the arts sector in the Central Coast region;
- the low levels and competitiveness of applications also indicate a lack of professional arts organisations in the region to apply for funding, or take a strategic approach to developing larger regional art making;
- there is a greater number of government and non-government organisations (NGO) arts positions and arts facilities in Gosford LGA than Wyong LGA and
- there are no regional arts coordination positions and there is no professional regional infrastructure providing a central point for arts and cultural information, communications, coordination and regional programming.

The report recommended the funding of a regional arts program, proposing "the framework for a major two year art and community partnership project on the Central Coast, managed by the region's first significant alliance of arts and non-arts partners, under the auspices of Regional Development Australia Central Coast (RDACC)."

One key outcome of the reports resulted in Arts NSW providing funding of \$480,000 over two years (2011-2013) to develop 'Arts Central' which is managed by a Steering Committee consisting of three tiers of Government: Arts NSW, Gosford City Council, RDACC and Wyong Shire Council representatives.

## **CURRENT STATUS**

Senior Management of Gosford City Council and Wyong Shire Council have endorsed the Central Coast Regional Cultural Framework as providing a practical platform for shared resourcing, aligned programming and promotion, coordinated facility development, advocating for partnerships and support for Central Coast culture at a State and National level.

The three levels of Government represented on the Art Central Steering Committee have provided in-principle support for the Central Coast Regional Cultural Framework and are currently considering their future roles in supporting and enabling a three year regional arts program structure. Their respective intentions will be communicated back through the steering committee.

## **THE PROPOSAL**

The Central Coast Regional Cultural Framework involves agreed areas of alignment and joint funding between Gosford City Council and Wyong Shire Council for Cultural Programming and Cultural Infrastructure.

For Wyong Shire this Framework is intended to support:

- a greater exchange of skills and resources between both Councils, including increased cross promotion and audience development for local arts;
- a regional platform for greater private and public investment and partnerships in arts projects and facilities;
- certainty for stakeholders from Local Government commitment to clear cultural priorities across the region;
- increased opportunities for local artists to be engaged in regional projects with links to national networks and markets; and
- increased self sufficiency and sustainability for artists by supporting the existing Wyong Shire creative enterprise program.

The Framework includes allocation of equal funds from existing budgets of both councils towards a proposed Regional Cultural Program that consists of Regional Cultural Grants for community based arts and Local Government managed regional projects.

State and Federal Government will be requested to contribute funds to the same regional program as part of their role in the Art Central Steering Committee

## **OPTIONS**

If Wyong Shire Council took the option of not entering into such an agreed Framework, this would reduce the likelihood of Wyong Shire securing the needed government arts funding and investment for planned arts programs and The Art House capital and programming components.

Council has limited capacity in human resources and funds to address the broad need identified by the Art and Community Report 2010 for arts sector and creative industry capacity and skills development without externally provided resources and new partnerships.



A Regional Framework is the most suitable platform to seek such partnerships, support and resources sharing.

## STRATEGIC LINKS

### Wyong Shire Council Strategic/ Annual Plan

<i>Principal Activity</i>	<i>Service</i>	<i>Key Action and Objectives</i>	<i>Funding Source and Description</i>	<i>Impact on Key Performance Indicators/ Service Performance Indicators</i>
Community and Education	Community and Cultural Development	1 Year Action Develop a range of community and cultural development programs that build community capacity		Six community and cultural development programs undertaken
Community and Education	Community and Cultural Development	4 Year Action Regional Strategic Social and Cultural Planning.		Six community and cultural development programs undertaken

### Contribution of Proposal to the Principal Activity

#### Long Term Financial Strategy

The Regional Cultural Framework has been developed in consultation and alignment with a regional arts Steering Committee which includes the NSW State arts funding and policy body Arts NSW and the regional Federally funded development agency RDACC. The Framework is based on the shared goals of the committee which is regional arts development, including continuing existing Local Government cultural development services. The Committee is now assessing the level of financial and other support the State and Federal levels of Government can contribute and match the two council's contribution and therefore increasing a return on council's cultural development budget allocation.

This meets Council's Long Term Financial Strategy of:  
Maximising revenue to fund existing services and where possible ensuring user pays

#### Asset Management Strategy

Nil impact

#### Workforce Management Strategy

Nil impact

**Link to Community Strategic Plan (2030)**

The Regional Cultural Framework has been developed to support an increase in the number and quality cultural programs and facilities involving Wyong Shire residents. It also aims to provide the platform for partnerships, multi-level government support and funding and increased arts sector capacity to enable a more sustainable community.

The Community Strategic Plan goals addressed by the Framework are:

1. Communities will have access to a diverse range of affordable and coordinated facilities, programs and services.
  - a) Providing and maintaining local and regional community facilities for recreation, culture, health and education
  - b) Providing and maintaining a range of community programs focused on community development, recreation, culture, environment, education and other issues
  - c) Providing recurrent funding for community support and development services
  - d) Promoting community facilities to help maximise their benefits and use.

**Budget Impact**

The proposed funding amount from Council to implement the Regional Cultural Framework is \$30,000 per annum for three years to be allocated from existing operational budget.

State and Federal Government agencies are currently in discussion with Council officers regarding funding contributions to the Framework from other levels of government.

Options for funding beyond the initial three years will be based on the success of the development of new partnerships and matching investment from stakeholders.

**CONSULTATION****Gosford City Council**

Gosford City Council and Wyong Shire Council officers and managers have jointly developed the Regional Cultural Framework combining knowledge, information and program structures. Staff from both Councils participated in briefings with Arts NSW, Regional Development Australia Central Coast (RDACC) and the local arts sector.

**Cultural Stakeholder Consultation**

The Regional Cultural Framework is based on alignment of shared areas of a broad range of community, cultural and regional development plans and strategies of both Wyong Shire Council and Gosford City Council. These plans and strategies have involved extensive community consultation since 2005.

In October 2012 a joint Regional Cultural Framework presentation was given to the arts sector at the RDACC Focus on the Coast by Cultural Officers of both Councils.

If the Regional Cultural Framework is endorsed by both councils, consultation will be undertaken with cultural stakeholders to develop a detailed strategy. A Central Coast cultural stakeholder forum organised with Arts NSW and RDACC is being planned for the first half of 2013 to evaluate Art Central and consult further on the Framework.

**Government Agency Consultation**

Arts NSW, the state arts funding and policy department, has been consulted regularly since 2007 by Council officers in the development of regional cultural projects and preliminary work for the Regional Cultural Framework. Since 2010 Wyong Shire Council and Gosford City Council have undertaken joint briefings to Arts NSW on the draft Regional Cultural Framework, most recently in November 2012. The development of the Framework consideration has been given to Arts NSW for advice and comments.

**Regional Development Australia Central Coast (RDACC)**

RDACC have provided input and comment on the Regional Cultural Framework since 2011 via the Art Central Steering Committee.

**GOVERNANCE AND POLICY IMPLICATIONS**

Nil impact

**MATERIAL RISKS AND ISSUES**

Nil impact

**CONCLUSION**

The development of the Central Coast Regional Cultural Framework follows several years of discussion, research and trial joint regional projects between Gosford City Council and Wyong Shire Council officers and managers. It has been developed concurrently with an increased focus on and investment in Central Coast arts from the State Government following an independent report on the region's arts sector. Art Central, an unprecedented regional arts program funded and overseen by Arts NSW in a working partnership with both Councils and RDACC has provided a forum and vested interest in Central Coast regional arts development at all three levels of government.

The Central Coast Regional Cultural Framework has been forwarded for endorsement by Wyong Shire Council to enable Council staff to continue liaising with other government agencies to secure resources and support for regional arts programs.

**ATTACHMENTS**

- 1 Central Coast Regional Cultural Framework D03206355

## CENTRAL COAST REGIONAL CULTURAL FRAMEWORK

### 1. THE FRAMEWORK: WHY?

#### 1.1 BACKGROUND

The Draft Central Coast Regional Cultural Framework has been jointly developed by Gosford City Council and Wyong Shire Council in response to local cultural stakeholder's requests, and Arts NSW recommendations, for a regional approach to cultural development on the Central Coast. This follows discussions and preliminary planning between both Councils' Arts and Cultural staff and cultural stakeholders since 2007. The need for a Regional Cultural Strategy was prioritised in 2010 in response to both Councils seeking State and Federal support for new key arts facilities in their respective local government areas. In 2010 Gosford City Council and Wyong Shire Council each independently resolved to work with the other to develop a Regional Cultural Strategy that would demonstrate how the proposed art centres would complement each other in fulfilling a long term regional vision. In 2010 Arts NSW undertook a study of Central Coast arts which recommended funding of strategic programs to enable the staged development of the region to become an arts destination. Arts NSW have based this staged development on the Shifferd model for regional cultural development, which this Framework has also referred to. More recently (2011) the proposal by the Central Coast Regional Development Corporation (CCRDC) to develop the Gosford based arts centre as part of The Landing Masterplan has raised the need to include the CCRDC as a third party in the regional approach to arts facility planning and development.

#### 1.2 VISION AND SCOPE

The Framework aims to set the path towards a Regional Cultural Strategy by focusing on the position of local government.

**Local Government:** Increased alignment and collaboration between GCC and WSC to develop and implement agreed regional cultural programs and plans (including facilities).

#### 1.3 PRINCIPLES

The Framework will aim to guide and support the development of the Central Coast Region by proposing a consistent set of cultural and arts priorities integrating tourism, economic development, urban planning, cultural programming and facility design and management.

**LOCAL GOVERNMENT PRINCIPLES:** Gosford City Council and Wyong Shire Council

- The responsibility of developing and delivering regional arts and cultural programs must be SHARED by both Councils.
- Therefore a collaborative approach must be undertaken in the administration of current and planned resources aimed at regional outcomes.
- This framework does not imply that ALL existing community and cultural programs must be shared at a regional level. Many current cultural and community programs must continue to operate at the local community level under the autonomous direction of their respective Councils.

- Although the framework focuses on the management of existing and planned cultural physical assets and programs, it recognises that the cultural community of the Central Coast constitutes the most vital and strategic intangible assets of this region. The cultural practitioners of the Central Coast have always operated with a regional mind set, long before the Central Coast was declared a region officially.

#### 1.4 AIMS

- Form the first steps towards a REGIONAL integrated cultural network of ideas, resources, community initiatives, dedicated facilities, development programs and creative industries.
- Establish an agreed framework for long term development of the Central Coast as an arts destination.
- Raise the profile of the region's art and culture nationally to increase funding and investment and attract new audiences and markets.
- Ensure cultural planning and programming responds to the unique geographic and multi-centred nature of the Central Coast.
- Create and sustain a pool of regional resources focused on developing regional arts and cultural programs.
- Identify and implement a set of regional cultural priorities based on previous stakeholder and industry consultation.

## 2. THE FRAMEWORK: WHAT?

This Framework aims to identify two distinct but complementary fields of operation.

- The development of regional cultural programs and strategies.
- The planning and development of regional cultural facilities.

### **Regional Cultural Programs**

Both Councils are well equipped and experienced in planning and delivering cultural programs as evident from the report of their respective Cultural Plans (2005/4 - 2009/10).

Combined regional projects have been occurring in the past five years on a need basis with sporadic frequency. However, as both Councils are set to add a regional dimension to their ongoing cultural programs, this Framework proposes the development and establishment of the most effective structures/arrangements for ongoing coordinated regional cultural programming between Councils. Arrangements proposed for evaluation/consideration in the short to medium term include:

- communication strategy and aligned work programs between relevant Business Units of both Councils;
- ongoing joint regional strategic development to identify priorities and combined advocacy to secure additional resources; and
- a combined pool of funding allocated for regional cultural programs, projects and events.

### **Regional Cultural Facilities**

This Framework includes two maps in order to identify current and future requirements and identify priority actions that would link the facilities to form a network.

#### **A MAP OF EXISTING PHYSICAL ASSETS: PUBLIC CULTURAL FACILITIES 2011**

- A. KEY ARTS FACILITIES
- B. FACILITIES WITH HIGH ART USAGE
- C. ARTS EDUCATIONAL FACILITIES

Note: The value of this second map is relational to the limitations explained in the cover letter.

#### **A MAP OF PROPOSED PHYSICAL ASSETS: PUBLIC CULTURAL FACILITIES NETWORK 2014-2031**

- A. NEW KEY ARTS FACILITIES
- B. KEY ARTS FACILITIES
- C. FACILITIES WITH HIGH ART USAGE
- D. ARTS EDUCATIONAL FACILITIES

### 3. THE FRAMEWORK: HOW?

The Framework has been developed to support agreed regional operational collaborations and alignments between Councils that fulfil corporate and strategic goals.

It is important to note however that while the planning and delivery of regional cultural programs are entirely within the purview and authority of both Councils, the planning of regional cultural facilities often extends to other public agencies.

#### REGIONAL CULTURAL FACILITIES

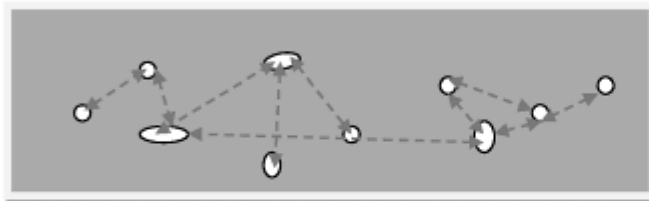
The Framework aims to support a more effective and coordinated management and planning of cultural facilities on the Central Coast which will benefit arts, community and economic development. The Framework will support the establishment of agreed roles of Council managed cultural facilities and support processes and structures that will increase efficiency and effectiveness of the facilities in fulfilling these roles. The planning and management of facilities will support regional centres and precinct development that is aligned with accepted regional planning priorities. Core to this undertaking is the adoption of two cultural facilities models: network and catalyst.

#### 3.1 SHARED RESPONSIBILITY FOR CENTRES OF ARTISTIC EXCELLENCE (One space, One Art form)

Centres of excellence may be conceived of stand-alone dedicated facilities operating in either a network model or catalyst model.

#### NETWORK MODEL

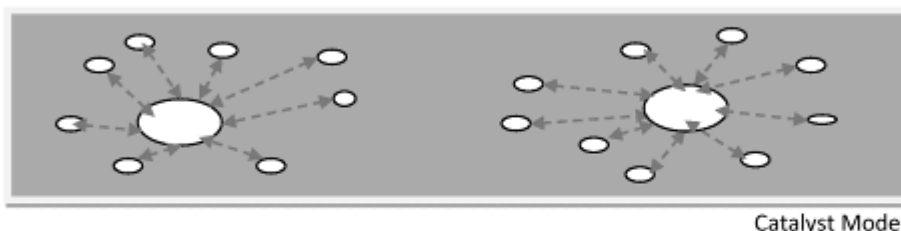
A network model is formed by the presence of several distinct cultural spaces performing different functions, such as performance spaces, studios or art galleries, that are linked by aligned goals and programming. Combined as a network, the centres serve a wide range of the arts activities and disciplines across a geographic area.



Network Model

#### CATALYST MODEL

A catalyst model is the presence of strategically located art centres in key point(s) of a network, which attract and support a web of producers and suppliers of goods and services in, or related to, specific art forms. The catalyst centre has the capacity to provide leadership in programming, promotion, partnerships and advocacy throughout and beyond the region to the benefit of the whole network.



The network model accounts for facilities spread across the region while the catalyst model refers to key facilities which lead the network.

## REGIONAL CULTURAL PROGRAMS

### 3.2 SHARED AND ALIGNED PROGRAMMING

This Framework will involve both Councils investigating the viability of a range of potential collaborative programs including:

#### 3.2.1 Joint Council touring cultural programs (One program, two spaces)

1. Share funding for PRODUCTIONS which tour both councils. (E.g. performing arts, film, exhibitions and so on).
2. Share funding for a REGIONAL ANNUAL FESTIVAL which potentially occurs one year in Gosford and one year in Wyong. (e.g. The Writers' Festival and the Whale Festival).
3. Joint funding to purchase STATE and NATIONAL TOURING PRODUCTIONS to be presented in both Council areas (e.g. theatre subscription seasons, exhibitions, short film festivals and so on).

#### 3.2.2 Cross promotion and marketing for different programs and civic events (Many programs, one marketing)

1. Aligning time frame and joint publicity programs for separate productions, resources and locations for key agreed events (e.g. Australia Day, New Years Eve).
2. Develop cross-promotion agreements between cultural facilities with common interests (i.e.: The Entrance Gallery and Gosford Regional Gallery).

#### 3.3.3 Joint management of a Regional Cultural Grants Program

1. This Framework proposes the establishment of a combined pool of funding which could begin with seed funding of \$60K (\$30K from each Council) administered by an appropriately appointed Regional Cultural Committee.

#### 3.3.4 Joint Strategic Development

The proposed programs will be supported by strategic cultural planning between Councils. This strategic work will aim to support longer term sustainability and alignment of arts programs with other sectors, levels of government and regional plans. It will ensure there is alignment between regional arts development priorities and the development and management of cultural facilities and infrastructure by both Councils.



## 4. THE FRAMEWORK: WHEN?

### IMPLEMENTATION

The implementation of the Framework is undertaken in three stages:

- Stage one: Councils endorsement of Framework.
- Stage two: Development of a Regional Cultural Strategy
- Stage three: Evaluation and Revision

#### 4.1 COUNCIL PLAN AND ENDORSEMENT (TWO MONTHS)

4.1.1 Establish agreed review, evaluation and consultation mechanisms between Gosford City Council, Wyong Shire Council and the Central Coast Regional Development Corporation regarding the development of The Art House, Wyong and the Arts Centre in Gosford.

4.1.2 Seek Gosford City Council (GCC) and Wyong Shire Council (WSC) Executive endorsement of Central Coast Regional Cultural Framework.

#### 4.2 COUNCIL'S REGIONAL CULTURAL STRATEGY DEVELOPMENT (SIX MONTHS)

4.2.1 The Regional Cultural Strategy is expected to deliver on three key areas:

**Local Government: Increased** alignment and collaboration between GCC and WSC to develop and implement agreed regional cultural programs and plans (including facilities).

**Regional Stakeholders/Players:** Create incentive, opportunities and the means for increased strategic and operational co-ordination between key cultural players such as arts centres, tourism, creative industries, arts education and community organisations.

**Regional Advocacy:** Create a unified and effective voice for Central Coast region to influence policy, create new links to national and international markets and programs and increase cultural funding, investment and development.

#### 4.3 EVALUATE AND REVISE (TWELVE MONTHS)

4.3.1 Evaluate and report on findings adopting the Shifford Regional Arts Development Model.

4.3.2 Review and expand Regional Cultural Strategy.

4.3.3 Recommendations to GCC and WSC Executive, CCRDC and Arts NSW.

### ATTACHMENTS:

- a) Draft Central Coast Regional Cultural Framework MAP OF EXISTING PHYSICAL ASSETS: PUBLIC CULTURAL FACILITIES 2011 (GCC and WSC)
- b) Draft Central Coast Regional Cultural Framework MAP OF PROPOSED PHYSICAL ASSETS: PUBLIC CULTURAL FACILITIES NETWORK 2014-2031 (GCC and WSC)
- c) Central Coast Regional Cultural Strategy Development Process (GCC and WSC)
- d) Central Coast Regional Strategy Map 1 (NSW Department of Planning)

## **7.12 Australian Chinese Theme Park Purchase of Council Land**

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TRIM REFERENCE: F2011/00192 - D03205479

MANAGER: David Jack, Acting Director Land Management

AUTHOR: Brett Phillips; Manager Economic and Property Development

### **SUMMARY**

This report is an update on the progress of Wyong Shire Council's engagement on the Australian Cultural Theme Park (ACTP) Project.

### **RECOMMENDATION**

- 1** *That Council receive this update on the resolutions of the Mayoral minute made at the 28 November 2012 Council meeting.*
- 2** *That Council enter into negotiations with Australia Chinese Theme Park Pty Ltd for a Memorandum of Understanding to encourage Chinese investment in Wyong.*
- 3** *That Council authorise the Mayor to represent Council in China to engage in discussions on trade, investment and tourism matters with a report to be presented back to Council.*
- 4** *That Council establishes a delegation which will travel to China in late May 2013 consisting of interested Councillors and their spouses, the General Manager or his delegate and other significant interested local stakeholders to further develop trade, investment and tourism relationships and provide a different perspective on development, transportation and government.*
- 5** *That Council notes that travel costs, apart from the General Manager's and/or his delegate are to be met by the delegates and not Council.*
- 6** *That Council note the amended page one (1) to the business paper dated 28 November 2012 regarding the Australia Chinese Theme Park Pty Ltd (D03197491)*

### **BACKGROUND**

At the Ordinary meeting of Council held on the 28<sup>th</sup> November 2012 Council considered a Mayoral Minute on a proposal put forward by the Australian Chinese Theme Park Pty Ltd (ACTP) to purchase Council land located in Warren Road Warnervale for the development of a Chinese Theme Park. After a general discussion by Councillors on the matter the following resolutions were made:

*“RESOLVED unanimously on the motion of Councillor EATON:*

- 486/12      *That Council approve the sale of the 1 Warren Road being an area of 15.77 ha and part of Lot 3 DP 10007500 for a sale price of \$10,000,000 to the Australian Chinese Theme Park Pty Ltd (ACN 47 054 613 735).*
- 487/12      *That Council authorise the Common Seal of Wyong Shire Council to be affixed to the “Contract for Sale of Land” between Wyong Shire Council and ACTP (ACN 47 054 613 735)*
- 488/12      *That Council authorise the Mayor and General Manager to execute all documents relating to this sale of land.*
- 489/12      *That Council authorise the Mayor and General Manager attend the signing ceremony on behalf of Council.*
- 490/12      *That Council set a sunset date of the 10 December 2012 by which the contract is to be signed by both parties.*
- 491/12      *The Council requests the General Manager to report back to Council at its meeting of 12 December 2012 on the outcome of the resolutions contained within this minute.”*

## **CURRENT STATUS**

Following the Council resolutions of the 28<sup>th</sup> November 2012 a signing ceremony was convened by the executive of ACTP to satisfy the terms of the Council resolution. The meeting was held at Chatswood on Sunday 2<sup>nd</sup> December 2012 and was attended by many dignitaries from the Chinese community including Fu Aimin the Consul Consulate – General of the Peoples Republic of China in Sydney and the chairman of the Australian China Theme Park Mr Bruce Zhong

The meeting was also attended by the Mayor of Wyong Councillor Doug Eaton, Councillors Naya and Taylor, the Member for Wyong Darren Webber, the newly appointed CEO of Central Coast Tourism Robyn Abernathy and councils business Development Manager.

Also in attendance was a large contingent of the Chinese community and media representatives

Documents for the sale of the land were prepared by Council’s legal Counsel and were tabled at the meeting for signature. The documents were signed by the Mayor and Chairman of ACTP Bruce Zhong at the ceremony satisfying resolution 490/12, which required the contract to be signed by the 12<sup>th</sup> December 2012.

Since the signing of the document the interest by the media has been overwhelming. Locally all radio stations; the Express Advocate and Central Coast Insider have run the article. In Sydney the article was the page lead story for the Daily Telegraph and it was also the lead storey on the Daily Telegraph web page a poll on the Telegraph webpage attracted over 2,500 hits with about 50% in favour of the project. Radio stations 2GB and 2UE have also run the story.

However the most exciting aspect of media interest is the amount of enquiries made from the international press. The story has been picked up by AFP and the story has since been run on radio Netherlands and 1 Africa.com. Most recently the Foreign Editor of the South China Morning Post which is based in Hong Kong has enquired about the project with a view to run a major article in this paper.

Very few communities are presented with an opportunity to have established a \$500 million development that will create over 15000 jobs established within their boundaries and this generational occurrence should be supported by Council at every opportunity.

There will be challenges for the applicant as they progress through the various stages of developing such an enormous project however with support displayed from Government agencies and a large percentage of the general community these challenges can be met.

Finally the immense interest displayed by local, national and international media outlets is an indication of the tourism and business opportunities that may arise for our community with a completed development.

Councillors are requested to note the schedule of deposit payments in the business paper was reported incorrectly in the Mayoral minute of the 28 November. The payment schedule should have read \$10,000 payable on exchange and three subsequent instalments of \$30,000 payable on the 2 March 2013, 2 December 2013 and the 2 December 2014. The \$10,000 payable on exchange has been received by Council.

## **THE PROPOSAL**

A key component to this land sale is the relationship and goodwill that has been built with the ACTP, this relationship now brings with it many benefits that Council could leverage via cultural, trade and tourism relationships with key China cities with the ACTP being the key link and/or broker.

The development of the theme park will require a significant amount of investment (\$500M), ACTP have indicated that the majority of this capital will be raised from Chinese investors. The benefits of having a significant number of high net worth individuals investing directly in Wyong will also potentially open up trade relationships for Council and local business via the companies these individuals either own or are associated with.

To ratify this potential and to set out agreed terms for cooperation it has been proposed that the ACTP and Wyong Council enter into a Memorandum of Understanding with aim of fostering trade, tourism and cultural links between Wyong Shire and specific Chinese cities as recommended by the ACTP.

In addition as a means to foster this relationship between ACTP and key cities within China it would be highly looked upon if Council were to send a delegation to China to meet with key government officials to discuss the Chinese Theme Park and to commence discussion on relationships around tourism, trade and investment.

Council to date has received many Chinese delegations as a result of the relationship with ACTP and the timing is now right for Council to return the favour. For Council to be taken seriously in establishing these key relationships a visit to China is considered essential.

## **OPTIONS**

The only other options to consider would be the do nothing approach however it be an opportunity lost if Council did not capitalise on the goodwill that has been generated to date with the Chinese community by seeking to enter into the MOU and sending a delegation to China.

### **Budget Impact**

The budget impact of the recommendations contained within this report would be minor. There would be a cost in sending staff on the Council delegation to China however when one consider the return to Council on the land sale and the positive economic benefits that will accrue out of the theme park and improved relationships this cost is insignificant.

All costs would be meet out of existing budget resources.

## **CONCLUSION**

The goodwill that has been generated between Council and the ACTP in the discussions to date on the construction of a Chinese Theme Park should be solidified up negotiating a Memorandum of Understanding that will clearly set terms for cooperation that will result in strong relationships between Council and key Chinese cities resulting in strong tourism, investment and cultural ties.

The benefits of which will crystallise in a boost to Wyong's economy via direct investment in infrastructure and housing, world wide media exposure and an increase in jobs and population.

Furthermore by sending a Council delegation to China and authorising the Mayor to represent Council in a visit to China will demonstrate that Wyong Council is serious in establishing these relationships and is prepared to take the time to fully understand the interest and benefits that the key partner Chinese cities will bring to the table.

## **ATTACHMENTS**

*Nil.*

## 7.13 Proposed Councillors' Community Improvement Grants

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TRIM REFERENCE: C2012/01723 - D03205679

MANAGER: Lesley Crawley; Manager Corporate Governance

AUTHOR: Kay Matthews; Administration Assistant

### SUMMARY

Councillors propose the following allocation of funds for expenditure from Councillors' Community Improvement Grants (CCIG).

### RECOMMENDATION

*That Council allocate an amount of \$1,000.00 from the 2012-13 Councillors' Community Improvement Grants as follows:*

<i>Proposed Allocations for 12/12/2012</i>		
<i>San Remo Neighbourhood Centre (\$1000)</i>	<i>Security for San Remo/Blue Haven Community Christmas Celebration</i>	<i>1,000</i>

### BACKGROUND

Provision has been made in Council's Annual Plan for each Councillor to recommend to Council the donation of funds to individuals, local service, charitable or community organisations that operate in the Shire or provide a benefit specifically to the residents of the Shire.

Donations may also be made to individuals or groups in pursuit of excellence, including sporting and cultural excellence, subject to CCIG Policy. Funds may also be allocated for emergency assistance in the event of natural disasters such as bushfires, flood or drought anywhere in Australia, subject to CCIG Policy. The funds are granted subject to approval of the Council as a whole.

In accordance with Clause 2.3 of the Councillor's Community Improvement Grants Policy available funding for the 2012/2013 financial year is \$75,000. Clause 2.3 states:

*"After a Local Government election, the allocation to the individual Councillors will be 50% of the allocation identified in Clause 1.1 and will be available from 1 December of that year to 30 June of the following year".*

### THE PROPOSAL

Under Council's Policy, all proposed allocations are subject to the approval of the Council as a whole.

## 7.13 Proposed Councillors' Community Improvement Grants (contd)

The proposed allocations are listed below:

COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS ALLOCATION		Best	Eaton	Graham	Greenwald	Matthews	Nayna	Taylor	Troy	Vincent	Webster	SUB TOTAL
Allocation 01/12/2012 - 30/06/2013		7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	75,000
Proposed Allocations for 12/12/2012												
San Remo Neighbourhood Centre (\$1000)	Security for San Remo/Blue Haven Community Christmas Celebration					400				600		1,000
Total Proposed Allocations for 12/12/2012		0	0	0	0	400	0	0	0	600	0	1,000
Balance Uncommitted as at 12/12/2012		7,500	7,500	7,500	7,500	7,100	7,500	7,500	7,500	6,900	7,500	74,000

### OPTIONS

- 1 Approval of applications as submitted will provide a community benefit residents of the Shire.
- 2 Non approval could result in assistance not being provided to the community.

### STRATEGIC LINKS

#### Annual Plan

<i>Principal Activity</i>	<i>Strategy or Program</i>	<i>Financial Line Item No and Description</i>
A More Sustainable Community	Enhance the quality of life of the Shire's residents	1.1.11 – Community Financial Support

#### Contribution of Proposal to the Principal Activity

The Councillors' Community Improvement Grants were developed to help charitable community groups and in doing so helping the broader community.

#### Link to Shire Strategic Vision

<i>Priority Objective</i>	<i>How the proposal contributes or links to the Priority Objectives in Shire Strategic Vision and Annual Plan</i>
<b>Communities</b> - Communities will be vibrant, caring and connected with a sense of belonging and pride in their local neighbourhood.	Funding is available to projects not specifically nominated in Council's Annual Plan that contribute to the priority objective.
<b>Facilities and Services</b> - Communities will have access to a diverse range of affordable and coordinated facilities, programs and services.	Funding is available to projects not specifically nominated in Council's Annual Plan that contribute to the priority objective.

**Financial Implications**

Expenditure is approved until the end of the 2011-12 financial year. Unspent approvals lapse 31 May 2012.

**Principles of Sustainability**

The CCIG program is aligned with the principles of sustainability in that it would:

- Improve and maintain safety, wellbeing and sense of community
- Use locally available resources to increase our self-reliance
- Support local and regional economic prosperity
- Build and strengthen partnerships and alliances

**CONSULTATION**

Applications that met the criteria were distributed to Councillors for their consideration.

**GOVERNANCE**

All expenditure recommended is permissible under Section 24 and 356(1) of the Local Government Act 1993.

**CORPORATE RISKS**

Nil impact.

**CONCLUSION**

The proposed allocations contained in this report are permissible under the Council's policy on Councillors' Community Improvement Grants. The process has been correct and Council may confirm the grants at its option.

**ATTACHMENTS**

*Nil.*



## **8.1 Information Reports**

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TRIM REFERENCE: F2012/00026 - D03197472

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Sonia Witt; TL Governance and Councillor Services

### **SUMMARY**

In accordance with Council's Code of Meeting Practice reports for the Information of Council are provided for adoption either by nominated exception or in total.

### **RECOMMENDATION**

***That Council receive the report on Information Reports.***

### **ATTACHMENTS**

*Nil.*

## 8.2 Road Capital Works Program

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TRIM REFERENCE: F2011/00879 - D03198388

MANAGER: Greg McDonald, Director Infrastructure and Operations

AUTHOR: Andrew Pearce; Manager, Roads and Drainage

### SUMMARY

Council's 2012/2013 Strategic Plan commits Council to a road pavement renewal, upgrade and resealing rolling works program with the objective of improving the overall pavement network condition and corresponding levels of service. The following report summarises the status of projects already completed in 2012/2013 and those planned for the following 12 month period. The delivery of the program is ahead of schedule.

### RECOMMENDATION

***That Council receive the report on the status of the Council's Road Capital Rolling Works Program.***

### BACKGROUND

Council's 2012/2013 Strategic Plan commits \$19.7M to a road related asset capital works. The majority of these funds (\$15.4M) are committed to road pavement upgrade, renewal and resealing works. The target volume output for 2012/2013 is:

- Pavement resealing = 45km
- Road upgrade/pavement renewal = 9km.

Council continues to operate an advanced Pavement Management System which is used to measure and model network condition and to develop optimised works programs. The allocation of funding consistent with the strategically developed optimised works program is continuing to see an overall improvement in network condition towards the previous Council's agreed target level of a PCI of 7 (currently PCI = 6.3).

The enclosure provides a listing and timing of proposed/completed works for the following 12 month period sorted by suburb.

A draft of the following four year delivery plan has recently been completed. The inclusion and timing of 2013/2014 projects is tentative pending Council's approval as part of the 2013/2014 Strategic Planning process

The delivery of the 2012/2013 roads capital works program is ahead of schedule. Major achievements in November were:

- Shelley Beach Road, Shelley Beach - Completion of pavement renewal, asphalt overlay and pedestrian works at a cost of \$637,531. Works were delivered below the project estimate/budget of \$730K.

## **8.2 Road Capital Works Program (contd)**

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- Anzac Road, Charmhaven - Completion of pavement renewal and asphalt overlay works at a cost of \$411,000 which is significantly below the project estimate/budget of \$700,000. Significant savings were realised through the use of an alternative pavement treatment.
- Resealing – A major focus was the completion of the majority of asphalt resealing works and heavy patching as part of the preparation works for the spray sealing program which will commence pending warmer air and ground temperatures.
- Minnesota Road – Water main relocation completed, contracts awarded for power relocation and concrete culvert construction.

### **ATTACHMENTS**

- 1 ROAD CAPITAL WORK PROGRAM Enclosure D03199116

### **8.3 Minutes of the Estuary Management, Coastal and Floodplain Management Committee**

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TRIM REFERENCE: F2004/07986 - D03202455

MANAGER: Greg McDonald, Director Infrastructure and Operations

AUTHOR: Karina Curtis; Personal Assistant to Director Infrastructure and Operations

#### **SUMMARY**

Confirmation of minute of the previous Tuggerah Lakes Estuary Management, Coastal and Floodplain Management Committee held on Thursday 1 November 2012.

#### **RECOMMENDATION**

*That Council receive the report on Minutes of the Estuary Management, Coastal and Floodplain Management Committee held on 1 November 2012.*

#### **ATTACHMENTS**

- 1 MINUTES - Tuggerah Lakes Estuary & Coastal Mgt Committee Meeting - D03192366  
1 November 2012



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**WYONG SHIRE COUNCIL**  
**MINUTES OF MEETING**  
**OF THE**  
**TUGGERAH LAKES ESTUARY, COASTAL AND FLOODPLAIN MANAGEMENT COMMITTEE**

Held in

**WYONG SHIRE COUNCIL CHAMBERS, HELY STREET, WYONG**

**Thursday 1 November 2012**

Commencing at 5.00 pm

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**Present**

Mayor Doug Eaton	Chairperson, Wyong Shire Council
Councillor Lynne Webster	Wyong Shire Council
Councillor Lloyd Taylor	Wyong Shire Council
Councillor Adam Troy	Wyong Shire Council
David Ryan	Manager Estuary Management
Greg White	Manager Environment & Natural Resources
Peter Sheath	Senior Planning Engineer Hydrology
Lara Davis	Office of Environment and Heritage
Neil Kelleher	Office of Environment and Heritage
Garry Whittaker	State Emergency Services
Tony Voller	Catchment Management Authority
Tom Wallace	Community Representative
Robert Ray	Community Representative
Alan Morris	Community Representative
Dellas Johnson	Community Representative
Marlene Pennings	Community Representative
Kevin Armstrong	Community Representative
Doug Darlington	Community Representative
Tony Hewett	Community Representative
Phil Heaton	Community Representative

**In Attendance**

Councillor Luke Nayna	Wyong Shire Council
Councillor Greg Best	Wyong Shire Council
Councillor Doug Vincent	Wyong Shire Council
Greg McDonald	Director Infrastructure Management
Stephen Naven	Chief Financial Officer
Meagan Tattersall	Australian Government
Peter Smith	Wallerah 2 Coal
Kenny Barry	Wyong Coal
Jacquie Elvidge	Councillor Services Officer
Karina Curtis	Personal Assistant to Director

## 1.1 Welcome & Apologies

The meeting was declared open by Mayor Eaton at 5.00 pm.

### Apologies

Bruce Rutherford	Community Representative
Craig Ellis	Community Representative
Bronwyn Conyers	Office of Environment and Heritage
Colby Crane	Community Engagement Coordinator

## 1.2 Disclosure of Pecuniary Interest

### Committee Recommendation

*That the report be received and that the fact that no disclosures were made be noted.  
(Unanimous)*

## 1.3 Confirmation of Previous Minutes

The minutes of the meeting held on 5 July 2012 were distributed as an attachment to the meeting agenda. No comments were received and the Committee agreed on their confirmation.

### Committee Recommendation

*That the Committee confirmed the minutes of the previous Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee held on 5 July 2012.*

### Business Arising

#### **GB69/12 Follow Up on Flood Mitigation Question**

Tom Wallace advised that works on the damaged spillway at Bateau Bay have now been completed but a response has not been provided regarding this question. Greg McDonald advised that Tom met with Council staff on 24 July 2012 regarding this matter.

#### **GB70/12 Cycleways Design Flaw**

Tom Wallace requested further feedback regarding concerns raised at the 5 July 2012 committee meeting regarding the design of a cycleway located at The Entrance North. Greg McDonald advised that Tom met with Council staff on 24 July 2012 to discuss this matter.

#### **GB58/12 2013 Coastal Conference**

Greg White advised that Council will no longer be submitting a bid to host the 2013 Coastal Conference.

## 2.1 Coastal Zone Management Plan

Mr Greg White, Manager Environment and Natural Resources, provided a verbal update on the Coastal Zone Management Plan in addition to the table provided in the meeting agenda.

### Committee Recommendation

*That the Committee receive and note the report on the Coastal Zone Management Plan. (Unanimous)*

## 2.2 Floodplain Risk Management Studies Program

Mr Peter Sheath, Senior Engineer - Estuary Management, provided a verbal update and presentation on the Floodplain Risk Management Studies Program in addition to the table provided in the meeting agenda.

### Committee Recommendation

*That the Committee receive and note the report on Floodplain Risk Management Program. (Unanimous)*

## 2.3 Estuary Management Plan

Mr David Ryan, Manager Estuary Management, provided a verbal update and presentation on the Estuary Management Plan in addition to the table provided in the meeting agenda.

### Committee Recommendation

*That the Committee receive and note the report on the Estuary Management Plan. (Unanimous)*

## 3.1 Communications Update

### Committee Recommendation

*That the Committee receive and note the report on Communications Update. (Unanimous)*

## 3.2 Monthly Reporting on Estuary Management Plan

Mr Stephen Naven, Chief Financial Officer, provided a verbal update on the Monthly Reporting on Estuary Management Plan in addition to the financial table provided in the meeting agenda.

**Committee Recommendation**

*That the Committee receive and note the report on Monthly Reporting on Estuary Management Plan. (Unanimous)*

**3.3 Department of Primary Industries Representation****Committee Recommendation**

*That the Committee receive and note the report on Department of Primary Industries Representation. (Unanimous)*

**4 General Business****GB82/12 Estuary Management Community Information Sessions**

Councillor Vincent advised that Sian Fawcett used to provide information sessions to the community about estuary management and asked what staff member would be the correct person to contact if the community wanted an information session held now?

David Ryan advised that he is the correct staff member to contact regarding estuary management community information sessions.

**GB83/12 Sea Level Rise Legal Liabilities**

Tom Wallace queried if Council recently decided to do away with the Sea Level Rise component that was contained in the Coast report, and if so does this pose legal liabilities on Council, Councillors or the Community?

In response to this query the Mayor replied "no".

**GB84/12 Diesel Smell Coming from Culvert on Pacific Street - LJ19**

Doug Darlington advised that he is a member of the Long Jetty Water Watch Group, who monitors the culverts that run into the lake from Saltwater Creek to Long Jetty Foreshore – approx. 40 culverts. The culvert at Pacific Street, number LJ19, has had a strong diesel smell coming from it for the last year; there have even been articles in the Central Coast Express Advocate about it. Doug requested Council staff provide him with more information about this culvert. Mr Darlington was advised to forward his request to operational staff for action.

**5 Next Meeting**

The next meeting will be held on Thursday 6 December 2012 at Wyong Shire Council, Civic Centre – Council Chambers commencing at 5.00 pm.

There being no further business the meeting closed at 7.15 pm.



**WYONG SHIRE COUNCIL  
TUGGERAH LAKES ESTUARY, COASTAL AND FLOODPLAIN MANAGEMENT COMMITTEE  
ACTION LOG**

Item #	Meeting Date	Report Title	Action	Responsibility	Status/ Notes
2.1	1 November 2012	Coastal Zone Management Plan	The Mayor Requested Council's recent resolution regarding sea level rise be placed in the same place as the Coastal Zone Management Plan currently being exhibited on Council's website.	Manager Environment and Natural Resources	
2.2	1 November 2012	Floodplain Risk Management Studies Program	The Mayor requested that a report on the condition of The Entrance North floodgates be reported to Council.	Senior Planning Engineer Hydrology	
2.2	1 November 2012	Floodplain Risk Management Studies Program	The Mayor requested that minutes from the workshop on flood insurance be circulated to all Committee members.	Senior Planning Engineer Hydrology	
2.3	1 November 2012	Estuary Management Plan	The Committee requested that a document titled "Seagrasses", tabled by Community Representative Robert Ray, be circulated with the meeting minutes to all Committee members.	Councillor Services Officer	
1.3	1 November 2012	Confirmation of Previous Minutes (Business Arising)	<b>GB69/12 Follow Up on Flood Mitigation Question</b> Tom Wallace advised that works on the damaged spillway at Bateau Bay have now been completed but a response has not been provided regarding this question. Greg McDonald advised that Tom met with Council staff on 24 July 2012 regarding this matter.	Senior Planning Engineer Hydrology	

Item #	Meeting Date	Report Title	Action	Responsibility	Status/ Notes
1.3	1 November 2012	Confirmation of Previous Minutes (Business Arising)	<b>GB70/12 Cycleways Design Flaw</b> Tom Wallace requested further feedback regarding concerns raised at the 5 July 2012 committee meeting regarding the design of a cycleway located at The Entrance North. Greg McDonald advised that Tom met with Council staff on 24 July 2012 to discuss this matter.	Director Infrastructure Management	
4/ GB84/12	1 November 2012	General Business	<b>GB84/12 Diesel Smell Coming from Culvert on Pacific Street - LJ19</b>  Doug Darlington advised that he is a member of the Long Jetty Water Watch Group, who monitors the culverts that run into the lake from Saltwater Creek to Long Jetty Foreshore – approx. 40 culverts. The culvert at Pacific Street, number LJ19, has had a strong diesel smell coming from it for the last year; there have even been articles in the Central Coast Express Advocate about it. Doug requested Council staff provide him with more information about this culvert. Mr Darlington was advised to forward his request to operational staff for action.	Director Infrastructure Management	

## **8.4 Investment Report for November 2012**

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TRIM REFERENCE: F2004/06604 - D03207247

MANAGER: Stephen Naven, Chief Financial Officer

AUTHOR: Devini Susindran; Financial Accountant

### **SUMMARY**

This report details Council's investments as at 30 November 2012.

### **RECOMMENDATION**

*That Council receive the Investment Report for November 2012.*

### **BACKGROUND**

WSC's investments are made in accordance with the Local Government Act (1993), the Local Government (General) Regulation (2005), Council's Investment Policy, Ministerial Investment Order issued February 2011 and Division of Local Government Investment Policy Guidelines published in May 2010.

Council's portfolio includes investments in managed funds held under the "grandfather" provisions of the current Ministers Order. The remaining investment in Blackrock Care and Maintenance Fund, continues to be wound up progressively and is expected to be liquidated by 2016.

### **CURRENT STATUS**

#### **Managed Funds**

Council holds a "grandfathered" investment in Blackrock Care and Maintenance Fund valued at \$5.36m allowable under the Ministers Investment Order.

The unrealised gain for October was \$0.07m with a year to date gain of \$0.33m.

#### **Cash and Term Deposit Funds**

Cash flows in November were managed through maturities and investments in new term deposits and included receipts of the second quarter instalments, with a net in-flow in cash and term deposits of \$12.54m.

**Table 1 Movement in Cash and Term deposits**

Institution	Term (Approx. Months)	Interest Rate %	Maturity	Investment / (Redemption)
Movement in cash on call		3.35%		\$2,544,000
IMB	2	4.80%	Nov 2012	(\$5,000,000)
Bendigo	6	5.65%	Nov 2012	(\$5,000,000)
Suncorp	6	5.67%	Nov 2012	(\$5,000,000)
Suncorp	6	5.30%	Nov 2012	(\$5,000,000)
Suncorp	6	5.30%	Nov 2012	(\$5,000,000)
ING	8	4.60%	Jul 2013	\$5,000,000
Suncorp	3	4.63%	Feb 2013	\$5,000,000
NAB	8	4.66%	Jul 2013	\$5,000,000
NAB	9	4.67%	Aug 2013	\$5,000,000
NAB	12	4.73%	Nov 2013	\$5,000,000
Rural Bank	4	4.73%	Mar 2013	\$5,000,000
Rural Bank	6	4.73%	May 2013	\$5,000,000
<b>TOTAL</b>				<b>\$12,544,000</b>

Return on cash and term deposits for November 2012 was \$0.60m.

### Total Funds

Total net return for November 2012 was \$0.67m consisted of \$0.60m of interest earnings and \$0.07m of unrealised capital gains on the Blackrock Care and Maintenance Fund.

**Table 2 Investment Portfolio by Risk Category**

Investment Class	November 2012 \$ '000	YTD Return \$ '000	YTD %
Cash at Call	15,057	236	3.50
Term Deposits	143,000	3,045	5.48
Managed Funds	5,355	330	15.03
<b>Total Investments</b>	<b>163,412</b>	<b>3,611</b>	<b>5.58</b>

Year to date returns in November of 5.58% is favourable compared to benchmark BBSW YTD Bank Bill Index of 3.59% and Council guidelines of BBSW + 10 basis points. The year to date return excluding capital gains on managed funds of \$0.33m is 5.06%.

Council investments are evaluated and monitored against a benchmark appropriate to the risk (Standard and Poor's BBB Long term or above) and time horizon of the investment concerned.

## 8.4 Investment Report for November 2012 (contd)

The target maximum limit in each category and the current spread of investments is listed in Table 3. The portfolio is currently overweight in A1 but this is a positive position due to these investments offering the best rates selected for the investment time frame.

**Table 3 – Portfolio Credit Framework**

Investment Category Short Term	Target Allocation Maximum	Portfolio Allocation November 2012	Comments
A1	10.0%	68.57%	
A2	75.0%	25.09%	
A3	10.0%	2.45%	
Unrated	15.0%	3.89%	Includes Managed Funds
<b>TOTAL</b>	<b>110%</b>	<b>100.0%</b>	

Investment transactions and earnings during November 2012 are shown in Table 4 - Portfolio Performance.

**Table 4 – Portfolio Performance**

	Full Year 2011-12 \$m	Qtr 1 to September 2012 \$m	October 2012 \$m	November 2012 \$m	Full Year 2012-13 \$m
<b>Movement in Assets</b>					
<b>Opening Balance</b>	<b>136.86</b>	<b>153.81</b>	<b>160.71</b>	<b>150.80</b>	<b>153.81</b>
Capital Gain/(Loss) – (see below)	(0.09)	0.18	0.09	0.06	0.33
Net Cash/Investments (Withdrawals)	17.04	6.72	(10.00)	12.55	9.27
<b>Closing Balance</b>	<b>153.81</b>	<b>160.71</b>	<b>150.80</b>	<b>163.41</b>	<b>163.41</b>
<b>Trading Position</b>					
Capital Gain/(Loss) Realised	-	-	-	-	-
Capital Gain/(Loss) Unrealised	(0.09)	0.18	0.09	0.07	0.34
Interest Earnings	8.14	2.01	0.66	0.60	3.27
<b>Total Return for Period</b>	<b>8.05</b>	<b>2.19</b>	<b>0.75</b>	<b>0.67</b>	<b>3.61</b>

Movements in investments comprised the changes in, valuation, new investments and redemptions during November are shown in Table 5 – Changes in valuation and redemptions.

**Table 5 Changes in valuation, new investments and redemptions**

Type of investment	Institution		\$m	\$m
Call deposit	Interest earned	Income	0.05	
	Net movement	Investment / (Redemption)	<u>2.50</u>	<u>2.55</u>
Term deposits	Ref. Table 1	Redemptions	(25.00)	
		Investments	<u>35.00</u>	<u>10.00</u>
Managed Funds	Black Rock	Capital Distribution	(0.00)	
		Capital Gain /( Loss)	<u>0.07</u>	<u>0.07</u>
<b>TOTAL</b>				<b>12.62</b>

### Interest and Investment Returns

Year to-date returns as at 30 November 2012 on council's investment portfolio of deposit accounts, term deposits and managed funds, show a \$0.74m or 25.69% favourable variance when compared to the year to-date budget to November 2012.

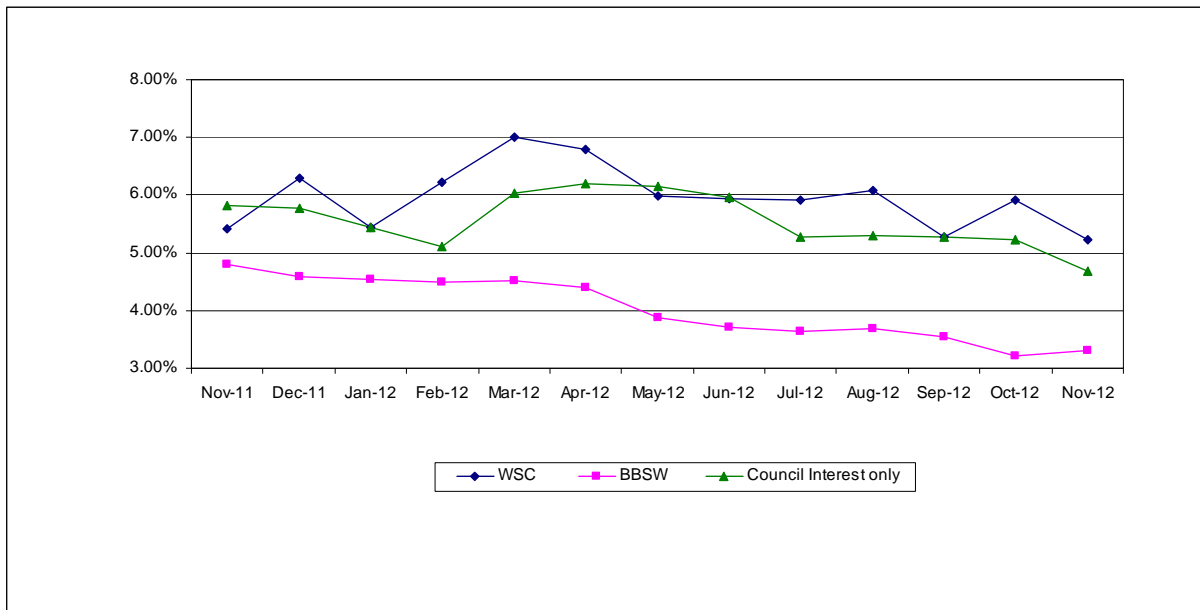
**Table 6 Annual Investment Portfolio Performance as at 30 November 2012**

Investment Source	FYR Revised Budget \$ '000	Nov YTD Budget \$ '000	Nov YTD Unrealised movement in valuation Actual \$ '000	Nov YTD Interest Actual \$ '000	Nov YTD Net Actual \$ '000	Nov YTD Variation to Budget \$ '000
		<b>A</b>	<b>B</b>	<b>C</b>	<b>D=B+C</b>	<b>E=A-D</b>
General	4,170	1,737	201	2,007	2,208	<b>471</b>
Water	1,550	646	40	391	431	<b>(215)</b>
Sewerage	1,176	490	89	883	972	<b>482</b>
<b>Total</b>	<b>6,896</b>	<b>2,873</b>	<b>330</b>	<b>3,281</b>	<b>3,611</b>	<b>738</b>

Interest rates in the month, on term deposits ranged from 4.60% to 5.77% with the exception of Heritage Bank at 7.25%. These rates exceeded the benchmark Bank Bill Swap Rate (BBSW) for November of 3.24%.

### Benchmark - Monthly Returns (Annualised)

Council's overall investment return is compared to the BBSW Index which is a cash index and therefore determines a minimum performance level. A graph detailing the monthly return on a 12 monthly basis is as follows:

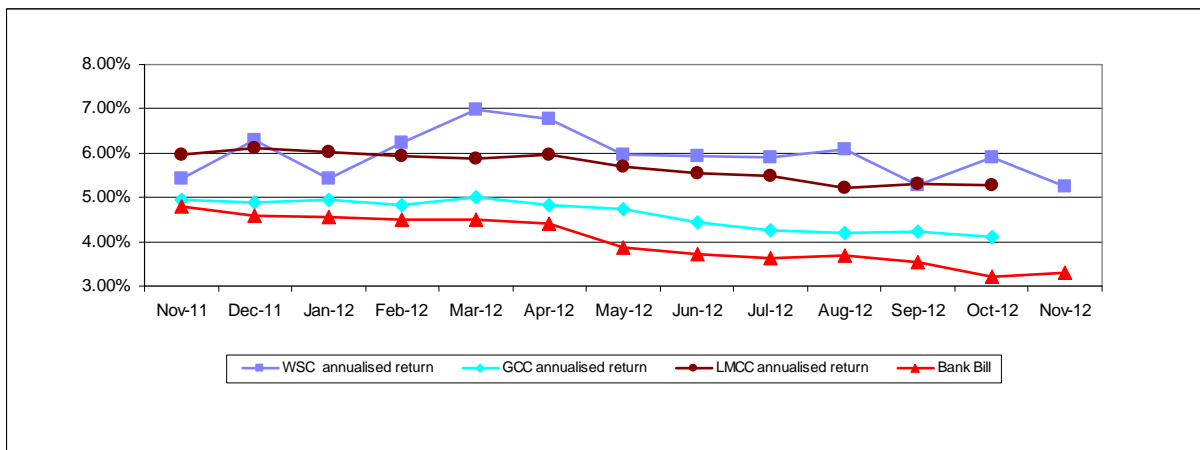


**Comparison to Neighbouring Councils**

Council’s yield of 5.91% for October and 5.24% for November compare favourably to neighbouring Councils; Lake Macquarie City Council (5.28% - October) and Gosford City Council (4.12% - October).

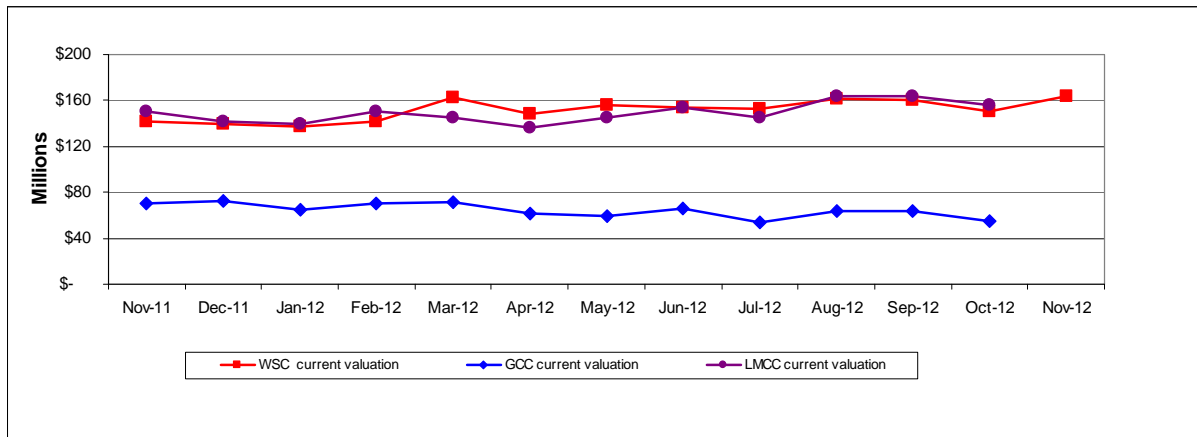
There is a one month lag in the information available for neighbouring Councils as reports for November were not available at the time of writing this report.

**Table 8 Portfolio Return - Comparison to Neighbouring Councils**



WSC’s investment portfolio at the end of October was \$150.78m and November was \$163.41m, demonstrating a strong cash position, and compares favourably with Lake Macquarie and Gosford City Councils (refer Table 9).

However Council’s cash position must be viewed relative to its high debt levels (predominantly in the Water and Sewer Business) at the end of June 2012 amounting to \$197.58m. In comparison Gosford City Council held debts of \$124.90m and Lake Macquarie City Council held debts of \$58.35m at 30 June 2012.



## INVESTMENT STATEMENT

In accordance with the Local Government (General) Regulation 2005, Part 9, Division 5, Clause 212, it is certified that the investments held as at 30 November 2012 have been made in accordance with the Act, the Regulations and Council's Investment Policies.

## CONCLUSION

Council continues to allow its grandfathered managed funds to liquidate over time. The majority of investments are now held in term deposits in accordance with the provisions of the ministerial investment order.

Investments continue to be conservatively managed to ensure that value is added to the fixed interest portfolio and Council will continue to re-define its long term investment strategy as the level of managed funds in the portfolio reduces.

## ATTACHMENTS

- 1 Summary of Investment by Type - November 2012 D03207636



Wyong Shire Council Summary of Investments - By Type As at 30 November 2012								
FUND MANAGER	TYPE OF INVESTMENT	RATINGS		MATURITY	PORTFOLIO BALANCE 31.10.12 \$	PORTFOLIO BALANCE 30.11.12 \$	INCOME FOR MONTH OF NOVEMBER \$	INTEREST RATES % p.a.
		Short Term	Long Term					
<b>CASH AT CALL:</b>								
Westpac	Corporate Investment Account (AA)	A1	AA	Daily	12,501,178	15,053,684	42,507	3.35
Commonwealth	At Call	A1	AA	Daily	-	-		3.35
Suncorp	At Call	A1	A	Daily	8,024	-	2,105	
UBS	Cash Account	A1	AA	Daily	3,793	3,459	0	
Total Cash At Call					12,512,995	15,057,143	44,612	
<b>TERM DEPOSITS &amp; BONDS</b>								
<u>Short term deposits &amp; bills (less than 90 days)</u>								
IMB	Term Deposit	A2	BBB	01/11/2012	5,000,000		-	4.80
SunCorp	Term Deposit	A1	A	02/11/2012	5,000,000		777	5.67
Bendigo/Adelaide	Term Deposit	A2	A	07/11/2012	5,000,000		4,644	5.65
SunCorp	Term Deposit	A1	A	22/11/2012	5,000,000		15,247	5.30
SunCorp	Term Deposit	A1	A	22/11/2012	5,000,000		15,247	5.30
ANZ	Term Deposit	A1	AA	06/12/2012	7,000,000	7,000,000	33,542	5.83
NAB	Term Deposit	A1	AA	27/12/2012	10,000,000	10,000,000	42,740	5.20
Bendigo/Adelaide	Term Deposit	A2	A	18/01/2013	5,000,000	5,000,000	20,548	5.00
Wyong Credit Union	Term Deposit	UNRATED	UNRATED	25/01/2013	1,000,000	1,000,000	3,904	4.75
ING	Term Deposit	A1	A	27/01/2013	5,000,000	5,000,000	21,082	5.13
ING	Term Deposit	A1	A	27/02/2013	5,000,000	5,000,000	20,918	5.09
ANZ	Term Deposit	A1	AA	27/02/2013	5,000,000	5,000,000	20,548	5.00
Suncorp	Term Deposit	A1	A	27/02/2013	5,000,000	5,000,000	21,164	5.15
					<b>68,000,000</b>	<b>43,000,000</b>		
<u>Medium Term Deposits (up to 365 days)</u>								
SunCorp	Term Deposit	A1	A	15/02/2013		5,000,000	10,148	4.63
ING	Term Deposit	A1	A	13/03/2013	5,000,000	5,000,000	21,205	5.16
NAB	Term Deposit	A1	AA	27/03/2013	10,000,000	10,000,000	41,014	4.99
Rural Bank	Term Deposit	A2	A	28/03/2013		5,000,000	1,944	4.73
ING	Term Deposit	A1	A	08/04/2013	5,000,000	5,000,000	19,315	4.70
ING	Term Deposit	A1	A	29/04/2013	5,000,000	5,000,000	21,082	5.13
Bendigo/Adelaide	Term Deposit	A2	A	12/05/2013	5,000,000	5,000,000	20,548	5.00
Bendigo/Adelaide	Term Deposit	A2	A	28/05/2013	5,000,000	5,000,000	20,548	5.00
Rural Bank	Term Deposit	A2	A	28/05/2013		5,000,000	1,944	4.73
Bendigo/Adelaide	Term Deposit	A2	A	12/06/2013	5,000,000	5,000,000	20,342	4.95
ING	Term Deposit	A1	A	01/07/2013		5,000,000	18,904	4.60
NAB	Term Deposit	A1	AA	15/07/2013		5,000,000	10,214	4.66
NAB	Term Deposit	A1	AA	15/08/2013		5,000,000	10,236	4.67
Bendigo/Adelaide	Term Deposit	A2	A	08/10/2013	5,000,000	5,000,000	18,904	4.60
NAB	Term Deposit	A1	AA	27/11/2013		5,000,000	1,944	4.73
					<b>45,000,000</b>	<b>80,000,000</b>		
<u>Non - Current</u>								
Westpac	Term Deposit	A1	AA	05/03/2014	10,000,000	10,000,000	47,425	5.77
Bank of Queensland	Term Deposit	A2	BBB	02/08/2016	6,000,000	6,000,000	25,644	5.20
Heritage	Senior Bond	A3	BBB	20/06/2017	4,000,000	4,000,000	23,836	7.25
					<b>20,000,000</b>	<b>20,000,000</b>		
Total Term Deposit & Bonds:					133,000,000	143,000,000	555,557	
<b>CASH MANAGEMENT FUNDS:</b>								
<u>Non - Current</u>								
	BlackRock Care & Maintenance Fund	UNRATED	UNRATED	2016 (Estimate)	5,285,304	5,355,232	69,928	
Total Cash Management Funds					5,285,304	5,355,232	69,928	
Current					125,512,995	138,057,143		
Non-Current					25,285,304	25,355,232		
<b>TOTAL</b>					<b>150,798,299</b>	<b>163,412,375</b>	<b>670,097</b>	

## **8.5 Outstanding Questions on Notice and Notices of Motion**

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TRIM REFERENCE: F2012/00026 - D03199958

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Jacquie Elvidge; Councillor Services Officer

### **SUMMARY**

Report on outstanding Questions on Notice and Notices of Motion.

### **RECOMMENDATION**

*That Council receive the report on Outstanding Questions on Notice and Notices of Motion.*

### **ATTACHMENTS**

- |   |   |           |
|---|---|-----------|
| 1 | Table of Outstanding Questions on Notice and Notices of Motion - 12 December 2012 | D03199907 |
|---|---|-----------|

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
1.	Development and Building Department	<p>8.7 - Notice of Motion - Tree Vandalism Norah Head</p> <p>1 <i>Note with concern acts of environmental vandalism in relation to the poisoning of several mature trees in Mazlin Reserve at Norah Head.</i></p> <p>2 <i>Direct the General Manager to urgently prepare a report regarding the actions and responses available to Council concerning acts of environmental vandalism in general, and specifically in relation to the poisoning of several mature trees in Mazlin Reserve at Norah Head.</i></p> <p>3 <i>Direct the General Manager to discuss the possibility and capacity of Council to erect and maintain a "view blocking" barrier in the report.</i></p>	8 February 2012 Cr Symington / Cr Wynn	F2012/00194  Response currently being prepared and will be submitted to a future meeting of Council.
2.	Land Management Department	<p>Q18/12 - Sea Level Rise Outrage</p> <p><i>"Madam Acting General Manager, as reported in the local media the coast community is outraged at the prospect and impact of proposed sea level rise policy particularly as it will affect in Wyong Shire alone some 20 local suburbs and up to 10,000 individual homes. As this draft policy is having a profound affect on insurance and property value issues, planning, building and site usages, I respectfully request this matter now be reported urgently to Council. Could staff please advise when this would be?"</i></p>	9 May 2012 Cr Best	F2009/00067 - D03003223  Report will be prepared upon receipt of updated direction from the State Government.
3.	Development and Building Department	<p>7.1 Notice of Motion - Housing Jump Start</p> <p><i>That Council direct the General Manager to report to Council on the benefits and disbenefits of a short term moratorium on Development Application fees, Construction Certificate fees and Complying Development fees for single detached housing and additions only.</i></p>	27 June 2012 Crs Eaton/Graham	F2008/02302  A report will be prepared early in 2013 in consultation with Brian Glendenning, IPART and other stakeholders

No	Department	Question Asked / Resolution	Meeting Councillor Asked/	Status
4.	General Manager's Unit	<p>Q29/12 - General Store Compliance</p> <p><i>"I have received numerous representations with regard to the ongoing issue of compliance of a general store in Norah Head that now seats some 50-60 patrons "The General Store" can be booked online for functions or private gatherings, could you please outline how this activity has been able to be approved in a residential area under the guise of a general store? As this matter has been ongoing for some 6 months your response would be appreciated at your earliest convenience to assist those in question."</i></p>	<p>25 July 2012 Cr Best</p>	<p>Awaiting advice from Legal Counsel on this matter.</p>
5.	Land Management Department	<p>8.2 Notice of Motion - Re-evaluation of Strategic Direction in Shire's North</p> <p>117/12 <i>That Council <u>note</u> the significant contribution our Community Precinct Committees make as a conduit between Council and the local community.</i></p> <p>1/12 <i>That Council, as an advocate on behalf of the local community of our Shire's north, <u>request</u> the General Manager to seek timely responses to the key issues contained in the attached joint Precinct Committee submission.</i></p> <p>2/12 <i>That Council <u>request</u> the General Manager to call for a meeting of key stake holders, Community, Government, land owners and relevant Departments, to discuss the strategic future of this massive 780 hectare site (Delta Electricity power stations and associated lands) that has the potential to profoundly impact Council's developed northern regions</i></p>	<p>8 August 2012 Crs Best/Eaton</p>	<p>Investigations will take place and response will be submitted to a future meeting of Council.</p>

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
		<p><i>strategic plan / LEP.</i></p> <p>3/12 <i>That Council <u>request</u> the General Manager to also seek direction from stakeholders on issues around site contamination and environmental assets with a prospect of rehabilitation such as Lake Colongra and various former natural overland flow paths.</i></p> <p>4/12 <i>That Council <u>request</u> the General Manager to reiterate to the relevant agencies the matters with regard to community elements of the Delta site contained in Item 2.1 Mayoral Minute - Proposed Transfer of Delta Electricity Land to Council for continued operation of the Extreme Sports Park, Koala Park and Camp Breakaway at San Remo adopted by Council on 23 May 2012.</i></p>		
6.	Infrastructure and Operations Department	<p>8.3 Notice of Motion - RV Friendly Town - Trial in the North of the Wyong Shire</p> <p>5/12 <i>That Council <u>support</u> the Northern Lakes Regional Chamber of Commerce in its endeavours to pilot the "RV Friendly Town" concept in the North of the Wyong Shire.</i></p> <p>6/12 <i>That Council <u>request</u> the General Manager to investigate options for installing two RV dump sites in the North of the Shire in consultation and conjunction with the Northern Lakes Regional Business Chamber and the Northern Lakes Disability Tourism Precinct Committee.</i></p>	8 August 2012 Crs Vincent/ Symington	Investigations will take place and response will be submitted to a future meeting of Council.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
		7/12 <i>That Council <u>request</u> the General Manager to submit a report detailing two feasible RV dump sites in the North of the Shire for piloting and trialling the RV Friendly Town concept, with one dump site being predominantly a “disability friendly” dump site, to Council for consideration.</i>		
7.	Infrastructure and Operations Department	<p>8.4 Notice of Motion - Wyong Shire Community Purchasing Scheme</p> <p>8/12 <i>That Council <u>note</u> with concern the significant socio-economic disadvantage this community faces, that was highlighted in the recent national census.</i></p> <p>9/12 <i>That Council <u>request</u> the General Manager to seek to assist its community through broadening Council service delivery, with the implementation of a group/collective purchasing of services scheme.</i></p> <p>10/12 <i>That, subject to resolution 4, Council <u>request</u> the General Manager to trial the scheme in the area of energy purchase in response to the escalating price of power, partially due to the carbon tax and in light of other highly successful energy purchase schemes run by various media outlets.</i></p> <p>11/12 <i>That Council <u>direct</u> the General Manager to provide an indicative and conceptual report which outlines benefits, structural issues, resources, and possible revenues that may result in the scheme becoming cost</i></p>	8 August 2012 Crs Best/Eaton	Investigations will take place and response will be submitted to a future meeting of Council.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
		<p><i>neutral.</i></p> <p>12/12 That Council <u>request</u> the General Manager to consult with its Community Precinct Committees to evaluate the interest of any proposed system.</p>		
8.	Land Management Department	<p>7.2 Notice of Motion - Disability Friendly Miniature Railway in the North of the Wyong Shire</p> <p>190/12 That Council <u>support</u> in principle the Northern Lakes Disability Tourism Precinct Committee in its endeavours to establish a disability friendly miniature railway system in the north of the Wyong Shire.</p> <p>191/12 That Council <u>request</u> the General Manager to investigate possible locations for installing a disability friendly miniature railway system in the north of the Shire, as identified by and in consultation with, the Northern Lakes Disability Tourism Precinct Committee and the Pioneer Dairy Model Railway Group.</p> <p>192/123 That Council <u>request</u> the General Manager to prepare a report in response to the sites identified, outlining the feasibility of each site.</p>	22 August 2012 Crs Vincent/Wynn	Investigations will take place and response will be submitted to a future meeting of Council.
9.	Development and Building Department	<p>7.2 Notice of Motion - Sea Level Rise Removal</p> <p>1 That Council <u>acknowledge</u> that the 2009 NSW Sea Level Rise Policy Statement is no longer NSW Government Policy.</p> <p>2 That Council <u>acknowledge</u> the recommendation of the NSW State Government to consider an interim policy arrangement prior to the formal adoption</p>	10 October 2012 Councillors Nayna & Taylor	Investigations will take place and a response will be submitted to a future meeting of Council.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
		<p><i>of sea level rise projections.</i></p> <p>3 <i>That Council <u>resolve</u> that its sea level rise interim policy consist of compliance with the 1% AEP flood level and 500mm freeboard allowance.</i></p> <p>4 <i>That Council <u>request</u> the State Government to refer back to Council the adopted Wyong Shire Coastal Zone Management Plan for Council's review.</i></p> <p>5 <i>That the General Manager <u>provide</u> an urgent briefing to Council on the implications of the State Government's recent coastal reforms.</i></p> <p>6 <i>That the General Manager <u>report</u> back to Council on a program, cost estimate and timeframe for the review of current adopted Council policies that incorporate provisions in respect of sea level rise, including the adopted Wyong Shire Coastal Zone Management Plan.</i></p> <p>7 <i>In circumstances where existing Government legislation or policy conflicts with Council's policy in No 3 above, the General Manager ensure that the matter is brought to Council for determination.</i></p> <p>8 <i>That Council <u>write</u> to all holders of existing DA's that have time limited consents due to sea level rise issues and advise of the change in Council policies and invite them to submit Section 96 applications to remove the time limit from their consents.</i></p> <p>9 <i>That Council <u>waive</u> all fees associated with any such Section 96 applications.</i></p>		
10.	General Manager's Unit	7.3 Notice of Motion - Council Review the NSW Electoral Commission's Management of our 2012 Wyong	10 October 2012 Councillors Best &	This matter is scheduled for action in the Corporate Governance work plan for February 2012.



No	Department	Question Asked / Resolution	Meeting Councillor Asked/	Status
		<p style="text-align: center;">Shire Elections</p> <p>1 That Council <u>note</u> the 2012 Wyong Local Government Election was managed, conducted and audited by the NSW Electoral Commission, costing our ratepayers a total of \$750,000 to our ratepayers.</p> <p>2 That Council <u>conduct</u> a review of the conduct of the 2012 Wyong Shire Election by the NSW Electoral Commission (NSWEC).</p> <p>3 That Council <u>include</u> in the review the following matters:</p> <p>(a) Identification of legislative constraints and processes which are barriers to encouraging local residents to stand for representation on Wyong Council.</p> <p>(b) The “contractual” arrangement between Council and the NSWEC which has constrained the ability for Council to make key decisions in regard to pre-poll venues (eg locations, quantity).</p> <p>(c) Issues around WHS obligations for booth workers, liabilities and responsibilities.</p> <p>(d) Improved provision of disabled and aged access at polling places, particularly pre-poll booths.</p> <p>(e) Feedback received from electors.</p>	<p>Webster</p>	

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
		<p>(f) <i>Feedback from a selection of those NSW councils which opted to manage their election or used a private contractor.</i></p> <p>(g) <i>Any other matters identified by the General Manager in the course of the election process.</i></p> <p>4 <i>That Council <u>request</u> feedback from those Councils who used the NSW Electoral Commission.</i></p>		
11.	Community and Recreation Services	<p>7.4 Notice of Motion - Wyong Skills Centre</p> <p>1 <i>That Council <u>advise</u> the Department of Education, Employment and Workplace Relations (DEEWR) that it now wishes to proceed with the Wyong Skills Centre in partnership with Central Coast Group Training at its site at Bounty Close at Tuggerah.</i></p> <p>2 <i>That Council <u>request</u> the Department of Education, Employment and Workplace Relations (DEEWR) to confirm that grant funding of some \$2.8 million is still available for this purpose and for DEEWR to advise the process and/or criteria required to access these funds</i></p> <p>3 <i>That Council <u>develop</u> and submit, in partnership with Central Coast Group Training in accordance with DEEWR, guidelines a joint application within one month.</i></p> <p>4 <i>That Council <u>authorise</u> the General Manager to approve the joint application and submission to DEEWR, subject to Council ratification.</i></p>	10 October 2012 Councillors Nayna & Troy	Joint letter from WSC and CCGT was sent to DEEWR on Friday 12 October 2012. DEEWR have confirmed receipt of this correspondence but were unable to provide any further advice on timing. Initial discussions with Council and CCGT staff occurred.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
		<p>5 That Council <u>determine</u> that this item be actioned immediately due to its urgent nature.</p> <p>6 That Council <u>advise</u> DEEWR of this resolution by close of business on Friday 12 October 2012.</p> <p>7 That Council <u>develop</u> to its satisfaction a suitable agreement with Central Coast Group Training with regards to this initiative.</p> <p>8 That Council <u>authorise</u> appropriate resourcing to undertake this task and the funding of these resources be considered at the September budget review.</p>		
12.	Infrastructure and Operations Department	<p>7.2 Notice of Motion - Daily Traffic Jams Through Wyong Township</p> <p>1 That Council <u>recognise</u> the importance of delivering the Pacific Highway upgrade through Wyong, linking up with the new Tuggerah Straight works as this is an economically vital road corridor providing business and job opportunities.</p> <p>2 That Council <u>recognise</u> that having regard to the State Government annual budgetary processes, the need to now facilitate its agreement/concurrence on this road upgrade to meet the new budgetary cycle.</p> <p>3 That Council <u>give</u> certainty to the hundreds of residents that live with the real prospect of the Pacific Highway upgrade bypass being funnelled through their residential streets, resulting in major loss of amenity, safety and property values/forced</p>	Councillors Best & Webster 24 October 2012	Report currently being prepared.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
		<p>resumptions.</p> <p>4 That Council <u>formally give</u> the RMS its support and concurrence for the through town Pacific Highway upgrade favouring the maximum parking option to assist local businesses and finally get this road started.</p> <p>5 That Council <u>request</u> the General Manager to provide a report to Council in support of the RMS's preferred option along the existing Pacific Highway corridor that was exhibited in November 2011.</p> <p>6 That Council <u>note</u> opportunity in the existing Pacific Highway corridor option to provide incremental improvements through the life of the project.</p>		
13.	Land Management Department	Q34/12 Extension of Draft Pile Burning Policy Exhibition "Mr Mayor, to assist our local rural community on the issue of the Draft Pile Burning Policy now on public display, could Council extend the exhibition period for one month until the 26 November 2012?"	Councillor Best 24 October 2012	Response currently being prepared.
14.	Land Management Department	Q35/12 Purchase of Sections of Remaining Undeveloped Land at Wadalba Hill "Could staff please advise of any State of Federal Funding Schemes that may be available to purchase sections of remaining undeveloped land at Wadalba Hill for conservation purposes?"	Councillor Greenwald 24 October 2012	Response currently being prepared.
15.	Infrastructure and Operations Department	8.1 Notice of Motion – Northern Lakes Rugby League Sport and Recreation  445/12 That Council note the existing facilities established by the Northern Lakes Rugby League Sport and Recreation Club, at Gumbuyah oval on Tall Timbers Road Lake Munmorah, are	Councillor Vincent and Greenwald 14 November 2012	Investigations will take place and a response will be submitted to a future meeting of Council.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
		<p><i>utilised by the broader community, such as local schools, representative and community groups .</i></p> <p><i>446/12 That Council note the Northern Lakes Rugby League Sport and Recreation Club has received grants in the order of \$80K from the State Government to build the slab and outer shell for a new Clubhouse.</i></p> <p><i>447/12 That Council defer the outstanding contributions until an occupation certificate is issued.</i></p> <p><i>448/12 That Council, post construction of the new Clubhouse, authorise the Mayor and General Manager to extend similar arrangements to the Northern Lakes Rugby League Sport and Recreation Club that was offered to the Ourimbah Soccer Club in regard to the water and sewerage developer charges currently levied on the new amenities building.</i></p>		
16.	Land Management Department	<p>8.2 Notice of Motion – Lakes Federal Funding Expenditure Report</p> <p><i>449/12 That Council note assurances given by staff at the 1 November 2012 Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee that all projects currently being conducted through Caring For Our Country Federal (CFOC) funding are on track.</i></p> <p><i>450/12 That Council request an urgent confirmation report formally detailing the progress of each project against budget and compliance with funding guidelines and criteria.</i></p> <p><i>451/12 That Council recognises and appreciates the recent supportive comments by the Member for Dobell in Parliament endorsing Council's outstanding</i></p>	Councillors Troy and Taylor 14 November 2012	Investigations will take place and a response will be submitted to a future meeting of Council.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
		<p><i>performance and an example of best practice in environmental project management with regards to the current lakes projects.</i></p> <p>452/12 <i>That Council note the \$20m CFOC funding program is now drawing to a close and environmental indicators are still showing decline (WSC SoE report, 2011).</i></p> <p>453/12 <i>That Council request the General Manager to report on what dialogues and initiatives are in train to secure further funding to continue these vital Lakes restoration works.</i></p>		
17.	Community and Recreation Services	<p>8.3 Notice of Motion – Council Advocate for End to So-called Scientific Whaling</p> <p>454/12 <i>That Council note the increasing local employment and economic benefits associated with the growing phenomena of whale watching.</i></p> <p>455/12 <i>That Council note that these animals are currently migrating down our local coastline only to be slaughtered in the Antarctic “whale sanctuary” aboard industrial factory ships.</i></p> <p>456/12 <i>That Council condemn in the strongest possible terms, as an advocate on behalf of our local community, the continuing abuse of international laws by those insistent on continuing so-called scientific whaling of endangered whales</i></p> <p>457/12 <i>That Council lend its voice, as a matter of urgency, to peak community and environmental groups in formally condemning this practice via correspondence to the Japanese embassy and our State and Federal Ministers for the Environment.</i></p> <p>458/12 <i>That Council congratulate the local Whale</i></p>	Councillor Best and Taylor 14 November 2012	<p>Investigations will take place and a response will be submitted to a future meeting of Council.</p> <p>458/12 - Letter is being drafted congratulating the local Whale Dreamers Festival Group regarding the Whale Dreamers Festival.</p>

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
		<p><i>Dreamers Festival Group that conducts the highly successful community whale awareness campaign known as the "Whale Dreamers Festival."</i></p> <p>459/12 <i>That Council direct the General Manager to report on progress to date and Council's assistance with the 2013 Whale Dreamers Festival.</i></p>		
18.	Community and Recreation Services	<p>8.4 Notice of Motion – Mobility Scooter Recharge Initiative</p> <p>460/12 <i>That Council note the huge growth in mobility scooter usage that assists our ageing and disabled population.</i></p> <p>461/12 <i>That Council investigate the possible provision of conveniently located scooter power – up stations/points at key locations including public buildings in order to further assist these groups to access services and recreational pursuits.</i></p> <p>462/12 <i>That Council seek to identify strategic industry partners to assist and/or sponsor any such mobility assistance program, with a view to it becoming cost neutral.</i></p>	<p>Councillor Best and Nayna</p> <p>14 November 2012</p>	Investigations will take place and a response will be submitted to a future meeting of Council.
19.	Infrastructure and Operations Department	<p>8.5 Notice of Motion – Erosion of Yallara Island, The Entrance</p> <p>463/12 <i>That Council note with concern the erosion of Yallara Island, adjacent to The Entrance Bridge, which is home to the iconic 80 year old date palm.</i></p> <p>464/12 <i>That Council urgently investigate the permissibility and feasibility of using Council's dredge and geo-bags to repair the erosion and provide support to the date palm.</i></p> <p>465/12 <i>That Council delegate and direct the General Manager to carry out such work subject to permissibility, feasibility and at</i></p>	<p>Councillor Taylor and Troy</p> <p>14 November 2012</p>	Investigations will take place and a response will be submitted to a future meeting of Council.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
		<p>a reasonable cost (i.e. less than \$50,000).</p> <p>466/12 That Council use this initial trial as an opportunity to capture important hydrological data with a view to the future possible use of the technology in the stabilisation of the channel precinct.</p> <p>467/12 That Council direct the General Manager to report to Council on the outcomes of this proposal.</p>		
20.	General Manager's Unit	<p>Q37/12 Eradication of Feral Pests</p> <p>"My question is directed to the members of the Save Tuggerah Lakes Party. One of the promises that you made at the recent Local Government Elections was to "eradicate feral pests – Rabbits, Foxes, Indian Mynas etc." and when were you going to do this? You promised to do it now.</p> <p>Wyong Shire is inundated with Rabbits in plague proportion, especially around the Chittaway and Shelly Beach areas. Foxes continue to roam the Shire, especially the North Entrance where they swim across to Terilbah Island and kill the Little Tern and their chicks; and as far as the Indian Myna birds are concerned, I counted ten of them in my own back yard this morning.</p> <p>My question is when are you going to deliver on your promise considering that you said that you would do it NOW?"</p>	<p>Councillor Graham</p> <p>14 November 2012</p>	Response currently being prepared.
21.	Infrastructure and Operations Department	<p>Q38/12 Lakes bogged in Green Tape</p> <p>"Mayor Eaton, I note with great frustration the plethora of government requirements and approvals necessary (1 to 12 listed below) to carry out the most basic lakes restoration works that has cost Council millions in ratepayer funds, while the approval times and costs are often longer and more expensive than the actual works to be carried out.</p> <p>Mr Mayor could you please update Council on what</p>	<p>Councillor Best</p> <p>14 November 2012</p>	Response currently being prepared.



No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
		<p><i>initiatives and actions you have engaged in, in your first 50 days as Mayor, to address this green tape paralysis?</i></p> <ol style="list-style-type: none"> <li><i>(1) An approval under Part VII of the Fisheries Management Act (1994) to dredge.</i></li> <li><i>(2) An approval under Part VII of the Fisheries Management Act (1994) to destroy vegetation (if seagrasses are involved).</i></li> <li><i>(3) An approval under Part VII of the Fisheries Management Act (1994) to reclaim land if the spoil is placed on a nearby bank or within a waterway as fill.</i></li> <li><i>(4) An approval from Department of Primary Industries Crown Lands to undertake works on Crown Land as well as other requirements relating to the placement of dredged material.</i></li> <li><i>(5) A licence under the National Parks and Wildlife Act (1974) to work with Endangered Ecological Communities such as salt marshes.</i></li> <li><i>(6) A licence to pollute (during construction) from the EPA under the Protection of Environment Operations Act 1997 (POEO).</i></li> <li><i>(7) Consideration of spoil removal and placement containing acid sulphate soils under the Contaminated Land Management Act 1997 with possible costs involved in moving spoil to the tip.</i></li> <li><i>(8) Consideration of the activity by officers from the Premier's Department Office of Environment and Heritage.</i></li> <li><i>(9) Notify Roads and Maritime for changes to navigable waters.</i></li> <li><i>(10) Produce a Review of Environmental Factors (REF) and a dredging design that considers all of the above. The dredging design would also incorporate a site survey, hydrodynamic considerations and a morphodynamic study to understand</i></li> </ol>		

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
		<p><i>sand movements in the dredged channel or for areas of saltmarsh rehabilitation.</i></p> <p>(11) <i>Use the REF and project design to obtain approvals under Part V of the EP&amp;A Act. This approval would require appropriate community consultation. Other aspects for consideration would include the relevant LEP and DCP. any SEPP such as SEPP 71 Coastal Protection that is applicable, as well as relevant management plans such as Council's Estuary Management Plan.</i></p> <p>(12) <i>The Federal Environmental Protection and Biodiversity Conservation Act (EPBC) 1999, may also come into consideration if significant threatened species are involved."</i></p>		
22.	Community and Recreation Services	Q41/12 Life Long Learning Department Funding "Can staff please advise what funding has been received from the State Government over the past 4 years with respect to the Lifelong Learning department?"	Councillor Matthews 14 November 2012	Response currently being prepared.
23.	Land Management Department	<p>8.1 Notice of Motion - Green Tape Reduction on DCP Chapter 14 – Trees</p> <p>539/12 <i>That Council <u>amend</u> its Development Control Plant 2005: Chapter 14 - Tree Management;</i></p> <p>7.1.1 <i>"Plants with undesirable characteristics" due to location. Now to read "trees located within (6) metres of an approved residential structure and (12) metres of a non residential approved structure, will be considered to be undesirable due to their location".</i></p> <p>540/12 <i>That Council also <u>vary</u> clause;</i></p>	Councillors Best & Taylor 28 November 2012	Response currently being prepared.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
		<p>7.1.2 <i>“Plants with undesirable characteristics generally” to now read “all trees that are of non native species”</i></p> <p>541/12 <i>That Council staff follow the statutory process with regards to amendments to DCP Chapter 14.</i></p>		
24.	Community and Recreation Services	<p>Q42/12 Wyong Neighborhood Centre Project <i>“Could staff please provide an update of the status of the men’s shed?”</i></p> <p><i>Can staff/council confirm that there will be no additional costs or liability to council?”</i></p>	Councillor Matthews 28 November 2012	Response currently being prepared.

**QUESTIONS ON NOTICE AND NOTICES OF MOTION REMOVED SINCE  
28 NOVEMBER 2012**

	<b>Department</b>	<b>Question on Notice / Notice of Motion</b>	<b>Date Asked/ Councillor</b>	<b>Status</b>
1	Building and Development Department	7.1 Notice of Motion - Increase Wrack Collection from Tuggerah Lakes	Councillors Troy & Taylor 24 October 2012	Report considered by Council at it's 28 November 2012 Ordinary Meeting.
2	Land Management Department	9.3 Notice of Motion - Assisting Housing Affordability	9 May 2012 Cr Eaton/Cr Best	Report included in 12 December 2012 Business Paper.
3	Development and Building Department	Q40/12 Disorder at Reserve Opposite Wyong Public School	Councillor Greenwald 14 November 2012	Response included in 12 December 2012 Business Paper,
4	Community and Recreation Services	Q39/12 Chromeifest 2012	Councillor Best 14 November 2012	Letter to The Entrance Town Centre Management forwarding the message of appreciation from resident has been sent (D03207968).

## **9.1 Answers to Question on Notice**

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TRIM REFERENCE: F2012/00027 - D03195615 AUTHOR: JH

### **9.1 Q40/12 - Disorder at Reserve Opposite Wyong Public School**

The following question was asked by Councillor Greenwald at the Ordinary Meeting on 14 November 2012:

*“Could the Manager of Safety and Compliance please advise what they are doing to monitor and enforce action against the persons causing public disorder in the reserve opposite Wyong Public School in Cutler Drive, Watanobbi?”*

Council Rangers are currently investigating numerous rubbish dumping events in the area of the reserve. Rangers have also been in contact with NSW Fire and Rescue and have obtained further evidence with the view to instigating enforcement action. In addition, Rangers have also been in contact with Housing NSW, as the majority of these issues have been created by the occupants of one property. This address is well known to NSW Police and Rangers.

The Acting Manager of Community Safety and Compliance and the Acting Chief Ranger attended the location on 21 November 2012 with Councillor Greenwald to discuss the actions Rangers and NSW Police have taken. During this inspection, two arrests were made by NSW Police. Rangers have provided evidence to Housing NSW to assist them in taking action against these residents.

It should be noted that Rangers have limited powers under the LGA 1993 and the majority of incidents that have occurred are Police matters.

## **ATTACHMENTS**

*Nil.*

12 December 2012

To the Ordinary Council Meeting

Councillor

## **10.1 Notice of Motion - Council to Purchase Land in Wadalba Hill Wildlife Corridor Area**

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TRIM REFERENCE: F2005/00562 - D03205713

AUTHOR: Doug Vincent; Councillor

Councillor Doug Vincent has given notice that at the Ordinary Council Meeting to be held on 12 December 2012 he will move the following Motion:

- "1 That Council acknowledge the significant importance of the Wadalba Hill Wildlife Corridor area to both biodiversity and the Powerful Owl's habitat.*
- 2 That Council undertake a review of the State and Federal funding options available to purchase sections of 10a zoned land that could be potentially for sale in the Wadalba Urban Release Area (WURA) that connect to the established Wadalba Hill Wildlife Corridor area.*
- 3 That Council direct the General Manger to prepare a report to purchase 10a zoned land, and other land not easily developed into residential allotments due to environmental and other constraints on and around the Wadalba Hill corridor area, using funding from State or Federal government sources.*
- 4 That Council direct the General Manger to consult with relevant community members, groups and organisations as part of the report preparation process.*
- 5 That Council direct the General Manager to develop procedures for the purchase and long term management of the Wadalba Hill Wildlife Corridor area in consultation with relevant community members, groups and organisations."*

### **WADALBA BACKGROUND**

Council's current plans for the Wadalba Urban Land Release identify large amounts of the Wadalba Hill for wildlife corridor.

Large parts of the Wadalba Hill are already identified for acquisition under the existing Section 94 Contribution Plan.

Council has completed a Management Plan for the Wadalba Wildlife Corridor as part of a deemed concurrence which was negotiated with the Department of Environment and Climate Change (now Office of Environment and Heritage) in 2004.

The Wildlife Corridor design provides for:

- Planned future extensions of the wildlife corridor to link areas to the north of the Pacific Highway and to the south across Johns Road, Wadalba (as part of Stage 2- Wadalba East Urban Land Release). This has the potential to be linked to the Tacoma Wetlands.

## **10.1 Notice of Motion - Council to Purchase Land in Wadalba Hill Wildlife Corridor Area (contd)**

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- Reduction of the number of road crossings through the main corridor section.
- New linkage planned through Wadalba Sporting fields site to provide additional linkage through drainage course through to planned residential estates on the northern side of the Pacific Highway.
- Protection of Masked Owl trees and buffer zones within corridor additions.

Acquisition of the areas shown in the Wadalba Corridor is currently provided for using Section 94 funds. When planning is done for the Wadalba East Urban Land Release (Precincts 2A, 2B and 3B) as part of the North Wyong Shire Structure Plan, Council will be examining options for landowner funded offsets and conservation areas (this will include Stage 2 areas).

It is premature to determine where the position of future conservation areas will be until investigations are completed for this new land release.

The Wadalba area has been proposed as a priority site under the NSW State Government's Urban Land Release Programme, so it is entirely possible that planning investigations could commence in this area in the near future. There are also few programmes available to provide funding for the acquisition of environmental land and in this instance it is considered more appropriate for these areas to be funded by the future developers of the next stage of the Wadalba Urban Land Release.

### **RESOURCE IMPLICATIONS**

In order to action this NOM, an estimated 200 man-hours would be required over a six month period plus supporting costs. This resource would need to be re-allocated from an existing project under commitment in the WSC Strategic Plan.

### **COUNCILLORS NOTE**

Opportunities exist for funding to purchase parts of the connectors of the Wadalba Wildlife Corridor from both State and Federal sources.

Link to potential State government funding programs:

<http://www.environment.nsw.gov.au/protectedareas/npestabplan.htm>

<http://www.environment.nsw.gov.au/conservationprograms/linkinglandscapes.htm>

The link to potential Federal government funding programs:

<http://www.environment.gov.au/biodiversity/wildlife-corridors/index.html>

<http://www.environment.gov.au/biodiversity/wildlife-corridors/publications/national-plan.html>

The funding is aimed at providing opportunities for bio-banking. Based on the trust fund and credit system model the new State system is a suitable way to protect the land and extend the natural areas around the Wadalba Hill site. The Federal funding would most likely be more appropriate to the whole corridor and would most likely require a comprehensive application.

## **10.1 Notice of Motion - Council to Purchase Land in Wadalba Hill Wildlife Corridor Area (contd)**

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Although applications have been sought by land owners to subdivide some of the remaining lots, no work has been started on these areas due probably to the marginal land suitability and capability for residential developments.

Recently a 6.77Acre lot was sold in the area with 10a zoning for around \$520,000. Refer to link:

<http://www.realestate.com.au/property-residential+land-nsw-wadalba-200216601>



12 December 2012

To the Ordinary Council Meeting

Councillor

## **10.2 Notice of Motion - Council to Investigate Dog Poo Bag Dispensers for Local Beaches and Shared Pathways**

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TRIM REFERENCE: F2004/07706 - D03205762

AUTHOR: Doug Vincent; Councillor

Councillor Vincent has given notice that at the Ordinary Council Meeting to be held on 12 December 2012 he will move the following Motion:

- "1 That Council acknowledge the significant amount of dog owners that enjoy walking their pets on shared pathways and approved dog walking beach areas within the Wyong Shire.*
- 2 That Council receive a report identifying potential trial sites for the installation of dog poo collection bag dispensers in appropriate high usage locations within the Wyong Shire."*

### **RESOURCES**

A report can be prepared with existing resources in the third quarter of the current financial year. This will require one officer four days to research and prepare the report.

### **COUNCILLOR NOTE**

Wyong Shire Council currently has nominated "Off Leash" high usage dog exercise areas such as Lakes Beach (from 500m north of the Surf Club to Ocean Street) and North Shelly Beach (from the northern beach access walkway off Shelly Beach Road to the beach access stairs opposite Swadling). There are also parks and reserves in Wyong Shire that have been nominated as "Off Leash Areas".

<http://www.wyong.nsw.gov.au/my-property/animals-pet-ownership/dogs/off-the-leash-areas/>

12 December 2012

To the Ordinary Council Meeting

## **11.1 Notice of Rescission - Disability Friendly Miniature Railway in the North of the Wyong Shire**

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TRIM REFERENCE: F2008/02187 - D03201633

AUTHOR: Luke Nayna; Councillor

Council, at the Ordinary Meeting held on 22 August 2012 gave consideration to a report regarding Notice of Motion - Disability Friendly Miniature Railway in the North of the Wyong Shire.

At that meeting, Council resolved as follows:

- “190/12 That Council support in principle the Northern Lakes Disability Tourism Precinct Committee in its endeavours to establish a disability friendly miniature railway system in the north of the Wyong Shire.*
- 191/12 That Council request the General Manager to investigate possible locations for installing a disability friendly miniature railway system in the north of the Shire, as identified by and in consultation with, the Northern Lakes Disability Tourism Precinct Committee and the Pioneer Dairy Model Railway Group.*
- 192/123 That Council request the General Manager to prepare a report in response to the sites identified, outlining the feasibility of each site.”*

A Rescission Motion has been received from Councillor Nayna to be moved at the Ordinary Council Meeting of Council to be held on Wednesday, 12 December 2012, as follows:

*“MOVE that the following resolution carried at the Ordinary Meeting of Council held on 22 August 2012 be rescinded:*

- 190/12 That Council support in principle the Northern Lakes Disability Tourism Precinct Committee in its endeavours to establish a disability friendly miniature railway system in the north of the Wyong Shire.*
- 191/12 That Council request the General Manager to investigate possible locations for installing a disability friendly miniature railway system in the north of the Shire, as identified by and in consultation with, the Northern Lakes Disability Tourism Precinct Committee and the Pioneer Dairy Model Railway Group.*
- 192/123 That Council request the General Manager to prepare a report in response to the sites identified, outlining the feasibility of each site.”*